SECURITY COUNCIL

OFFICIAL RECORDS

FORTY-EIGHTH YEAR

SUPPLEMENT FOR JULY, AUGUST AND SEPTEMBER 1993

UNITED NATIONS

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New York, 1995

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/...) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

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NOTE. The titles of the documents in the present *Supplement* appear in bold type. References are given for the other documents or they may be consulted in the Dag Hammarskjöld Library. The letters in the subject index column correspond to those in the index on page xxxviii and indicate the subject-matter of the documents to which they refer.

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S/26033	2 July 1993	c	Note of the Secretary-General transmitting the report of the Director of the Human Rights Division of the United Nations Observer Mission in El Salvador for the period ending 30 April 1993	Circulated under the double symbol A/47/968-S/26033	
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S/26376	28 August 1993	aa	Letter dated 27 August 1993 from the President of the Security Council to the Secretary-General	Ibid., p.110	
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Report of the Secretary-General

DOCUMENT S/25996/ADD.1

[*Original: English/French*]
[*14 July 1993*]

REPLIES RECEIVED FROM OTHER REGIONAL ARRANGEMENTS AND ORGANIZATIONS

Central African Customs and Economic Union

[*Original: French*]
[*27 April 1993*]

1. The General Secretariat of the Central African Customs and Economic Union (CACEU) warmly welcomes the initiative taken by the Security Council on the proposal of the Secretary-General of the United Nations to involve all regional arrangements and organizations in the quest for peace and security.

2. The primary purpose of the Central African Customs and Economic Union is, of course, to promote the economic and social integration of its member States with a view to the all-round and harmonious development of the Central African subregion.

3. However, conscious that the question of development is closely linked to that of peace and security, the CACEU General Secretariat has a duty to take an interest in the proposals which the Security Council has made aimed at strengthening the functions relating to the maintenance of peace and security of organizations like the Central African Customs and Economic Union and to consider coordinating its efforts with those of the United Nations.

4. In addition, the General Secretariat of the Central African Customs and Economic Union, taking advantage of the suggestion that it should have observer status with the United Nations, will immediately take the necessary steps with its highest authorities with a view to making an application for such a status in accordance with the required procedures.

*Western European Union**

[*Original: English*]
[*25 June 1993*]

1. The Western European Union (WEU) attaches great importance to enhancing the role of the United Nations and its Security Council in maintaining international peace and security. I welcome therefore this opportunity to indicate how WEU envisages future cooperation with the United Nations in the fields mentioned in your letter. My reply is without prejudice to the question of whether WEU is a regional arrangement or agency as referred to in Chapter VIII of the Charter ofthe United Nations.

2. In their Declaration agreed upon at Maastricht on 10 December 1991, the States members of the Western European Union committed themselves to develop WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance. Since then, WEU has concentrated its efforts on giving concrete expression to this dual vocation notably by developing its operational role. In their Petersberg Declaration of 19 June 1992, Foreign and Defence Ministers of WEU defined the three types of missions for which military units acting under WEU authority could be employed, namely: humanitarian and rescue tasks, peace-keeping and tasks of combat forces in crisis management, including peacemaking. The WEU Planning Cell, *inter alia*, was created to conduct the necessary planning for these missions. It is in the context of WEU's operational role that WEU member States, at the Petersberg meeting, declared their readiness to support, on a case-by-case basis and in accordance with WEU procedures, the effective implementation of conflict prevention and crisis management measures including peace-keeping activities of the Conference on Security and Cooperation in Europe and the Security Council. WEU participation in specific operations will remain a sovereign decision of member States in accordance with national constitutions.

3. I wish to recall the various activities which WEU has undertaken, or is presently conducting, which are relevant to the subjects mentioned in your letter.

4. During the conflict between Iran and Iraq in 1987-1988, WEU ships conducted mine-clearing operations in the Gulf to ensure the unhindered movement of international maritime traffic in this area. Secondly, in the context of the measures taken by the international community following the Iraqi invasion of Kuwait, ships of WEU member States conducted mine-clearing and embargo enforcement operations in the Gulf. All these measures were undertaken in the framework of the relevant Security Council resolutions.

5. WEU is also contributing in various ways to the search for a resolution of the conflict in former Yugoslavia. Since July 1992, ships and aircraft of WEU member States have been conducting first-embargo monitoring, and subsequently embargo enforcement, operations in the Adriatic. Now, following the decision taken by the joint session of the Council of Western European Union and North Atlantic Council held on 8 June, combined WEU/North Atlantic Treaty Organization operations are under way in the Adriatic to ensure the strict implementation of Security Council resolutions, in particular 820 (1993). WEU member States are also assisting Bulgaria, Hungary and Romania in enforcing sanctions and the embargo on the Danube.

6. Furthermore, WEU has conducted contingency planning for a number of aspects relating to the situation in former Yugoslavia, notably regarding the possible creation of a safe haven around Sarajevo. The results of this planning were transmitted to the United Nations earlier this year. WEU Ministers, at their meeting in Rome on 19 May 1993, have now requested that a study be made on the implementation of the Security Council resolutions relating to Safe Areas and on the possible rotation of United Nations Protection Force contingents from the WEU member States.

7. In response to your letter and in the context of WEU's enhanced role as outlined above, it therefore seems important to increase contacts and exchanges of information between the United Nations and WEU.

8. The mission to the United Nations in New York of the country holding the Presidency of WEU will act as a point of contact for the United Nations and will be responsible for the introduction of WEU contributions to the United Nations.

9. In addition, WEU is ready to discuss with you ways to develop appropriate contacts and exchanges of information between the WEU Secretariat-General and Planning Cell and relevant United Nations Secretariat bodies.

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* Reply from the Secretary-General of the Union.

DOCUMENT S/25996/ADD.2

[*Original: English*]
[*30 July 1993*]

REPLIES RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS HAVING RECEIVED A STANDING INVITATION TO PARTICIPATE IN THE SESSIONS AND THE WORK OF THE GENERAL ASSEMBLY AS OBSERVERS

Commonwealth Secretariat

[*Original: English*]
[*15 July 1993*]

1. Unlike the United Nations, the Commonwealth has no formal charter. The principles that guide the association have been articulated in major declarations over the years, notably in the 1971 Singapore Declaration of Commonwealth Principles and in the 1991 Harare Commonwealth Declaration. At both Singapore and Harare, and on several other occasions, Commonwealth leaders have emphasized that international peace and order and the rule of international law are essential to the security and prosperity of mankind. It has been the practice for Commonwealth leaders at the Heads of the Government Meetings to make pronouncements on security-related issues as well as to establish, whenever they have judged necessary, mechanisms aimed at assisting in the maintenance of peace and the resolution of disputes. They have done this, for example, through the establishment of the Commonwealth Action Group on Cyprus, the Ministerial Group on Belize and the Committee of Foreign Ministers on Southern Africa.

2. Although the Commonwealth has tended not to be directly involved in peace-keeping operations, its activities over the past three decades have occasionally included, in a discreet manner, and in response to requests from the concerned member Governments, use of the good offices of the Commonwealth Secretary-General to defuse potential or actual conflict situations. To that extent, a Commonwealth role in preventive diplomacy and peace-building is not precluded.

3. The Commonwealth has some comparative advantage in undertaking bridge-building roles within its own family of nations - for example, the use of a common language, shared traditions, the commonality of institutions, the convention of consensus in decision-making - which provide distinctive attributes affording the Commonwealth a capacity for the harmonization of views among member countries. The Commonwealth commitment to pluralism and its own diverse membership further facilitate such a role.

4. The Commonwealth secretariat works closely with the United Nations and its specialized agencies across a broad spectrum of social, political and economic issues. Cooperation with the United Nations is pursued through the Secretariat's observer status in the General Assembly. There is constant and close interaction between officials of both organizations. At Harare, Commonwealth leaders once again underscored the need for continuing Commonwealth support to the United Nations.

5. It may be pertinent to recall that, in response to Security Council resolution 772 (1992), the Commonwealth has deployed, since October 1992, a Commonwealth Observer Mission to South Africa which works closely with the United Nations and other observer groups, as well as with the structures established under the National Peace Accord, in efforts to arrest the cycle of violence and promote a climate favourable to the resumption of constitutional negotiations.

6. The Commonwealth Heads of Government remain committed to utilizing the consensus-building ability of the Commonwealth for the benefit of its membership and the wider global society. At their forthcoming meeting in Cyprus, they will no doubt seek to harness this ability in an effort to assist the United Nations, now approaching its fiftieth anniversary, to realize better the aims and objectives of its Charter.

DOCUMENT S/25996/ADD.3

[*Original: English*]
[*1 September 1993*]

REPLIES RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS HAVING RECEIVED A STANDING INVITATION TO PARTICIPATE IN THE SESSIONS AND THE WORK OF THE GENERAL ASSEMBLY AS OBSERVERS

Organization of African Unity

[*Original: English*]
[*26 August 1993*]

1. The Organization of African Unity (OAU) welcomes this important and timely initiative of the Security Council to further promote the involvement of regional arrangements and organizations in the maintenance of international peace and security. It is to be noted that the initiative happily coincides with the recent adoption by the 29th Assembly of the Heads of State and Government of OAU, held at Cairo from 28 to 30 June 1993, of the historic Declaration on the Establishment of a Mechanism on Conflict Prevention, Management and Resolution [1] (hereinafter referred to as "the Mechanism"). But before elaborating on the objectives and operational aspects of this Mechanism, it is important to provide a brief background to OAU's earlier efforts in tackling conflicts within and among its member States.

2. One of the major concerns and preoccupations of the founding fathers of OAU, and indeed the leaders of Africa, was, and has been, the management and resolution of conflicts in Africa, and the question of setting up appropriate machinery for this purpose, as stipulated in articles III and XIX of the OAU Charter. To this end, a Commission of Mediation, Conciliation and Arbitration was set up as the official organ charged with the responsibility of peaceful settlement of disputes among member States. But this organ never became fully operational.

3. Accordingly, a range of ad hoc committees with a variety of appellations and different mandates, and applying diverse procedures, was established over the years by the policy-making organs of OAU to deal specifically with inter-State disputes and conflicts. Additionally, mediation on conflicts and disputes among member States was handled through the good offices of African heads of State and Government as well as elder statesmen whose personal prestige, influence and diplomatic skills were brought to bear on the parties to the dispute.

4. These ad hoc arrangements, though with certain limitations, had a positive impact on stabilizing conflict situations among member States. But in order for OAU to deal more effectively with the current conflict situations, most of which are intra-State, it has become of the utmost importance and urgency for the Organization not only to examine the genesis of conflicts obtaining on the continent but also, and more significantly, to review in a more realistic manner the previous arrangements that had been set up to deal with African conflicts.

5. Accordingly, on the proposal of the Secretary-General and following consultations among member States, the 28th Ordinary Session of the Assembly of Heads of State and Government that took place at Dakar in June/July 1992 adopted in principle, the establishment of the Mechanism. As already pointed out, the creation of the said Mechanism was formally endorsed by the Cairo Summit this year.

6. The establishment of the Mechanism is the logical evolution of OAU's preoccupation with conflicts which was given expression by the declaration of the Heads of State and Government, adopted in July 1990, on the "political and socio-economic situation in Africa and the fundamental changes taking place in the world".[2] In that declaration, the Heads of State "renew(ed)" their "determination to work together towards the peaceful and speedy resolution of all the conflicts" in Africa - both internal and inter-State - which resolution they stated would be "conducive to the creation of peace and stability in the continent" and would "also have the effect of reducing expenditures on defence and security, thus releasing additional resources for socio-economic development", for they recognized that it is "only through the creation of stable conditions that Africa can fully harness its human and material resources and direct them to development".

7. Thus, in response to the request contained in the President of the Security Council's statement [*S/25996, annex*] on "ways and means to strengthen the regional arrangements and organizations in order to better maintain international peace and security", it may be noted that the Mechanism, as provided for by the declaration establishing it, has the following structure:

(*a*) It is built around a central organ composed of the States which are members of the Bureau of the Assembly of Heads of State and Government, the State of the outgoing Chairman and, where known, that of the incoming Chairman, with the Secretary-General and the Secretariat as its operational arm. The central organ assumes the overall direction and coordination of the activities of the Mechanism, in between ordinary sessions of the Assembly of Heads of State and Government, and functions at the level of the heads of State and minister as well as that of ambassadors accredited to OAU or duly authorized representatives;

(*b*) Further, the Secretary-General, under the authority of the central organ, and in consultation with the parties involved in the conflict, is mandated to deploy efforts and take all appropriate initiatives to prevent, manage and resolve conflicts. To this end, the Secretary-General relies upon the human and material resources available at the General Secretariat. In his efforts, the Secretary-General may, in consultation with the authorities of their countries of origin, and relying heavily on their cumulative experience and deep-seated knowledge of the African historical, socio-economic and cultural condition, also resort to the use of eminent African personalities. Where necessary, he may make use of other relevant expertise, send special envoys or special representatives as well as dispatch fact-finding missions to conflict areas;

(*c*) In addition, within the content of the Mechanism, OAU is expected to closely coordinate its activities with African regional and subregional organizations, and cooperate, as appropriate, with neighbouring countries with respect to conflicts arising in the different subregions of the continent, it being understood that these regional organizations and countries are more familiar with the local issues within the subregion in question;

(*d*) Similarly, OAU cooperates and works closely with the United Nations, not only with regard to issues relating to peacemaking, but, and especially, also those relating to peace-keeping. In like manner, the Secretary-General of OAU maintains close cooperation with other international organizations;

(*e*) Finally, a special Fund, governed by the relevant OAU Financial Rules and Regulations, is to be established for the purpose of providing financial resources to support exclusively OAU operational activities relating to conflict management and resolution. It will be made up of financial voluntary contributions from member States as well as from other sources within Africa. The Secretary-General may, with the consent of the central organ, and in conformity with the principles and objectives of the OAU Charter, also accept voluntary contributions from sources outside Africa.

8. With the establishment of the Mechanism, OAU's capacity to deal with conflicts in Africa will undoubtedly be strengthened, so that it is capable of making an effective contribution to the cause of international peace and security. In the performance of this important function, the role of OAU will encompass such areas as preventive diplomacy, including fact-finding, confidence-building, good offices, peacemaking and peace building. As already indicated, the Mechanism will have as its "primary objective" the "anticipation and prevention of conflicts", but that "where conflicts have occurred, it will be its responsibility to undertake peacemaking and peace-building functions in order to facilitate the resolution of these conflicts".

9. Mention may also be made at this point of the fact that OAU, at the invitation of the authorities concerned, has also been involved in election monitoring with the objective of assisting member States concerned in the peaceful management of change and in the building of democratic cultures and institutions capable of diffusing tensions arising form rival political groups. In this respect, OAU has, since 1990, monitored or observed no less than 20 presidential and parliamentary elections/referendums within member States.

10. As regards the President of the Security Council's statement on "ways and means to further improve coordination of their efforts with those of the United Nations", it is to be recalled that cooperation between OAU and the United Nations in all fields, including peace and security, has existed since the establishment of OAU in 1963. Indeed, the OAU Charter stipulates in article II one of the purposes for its establishment as the promotion of "international cooperation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights". Such cooperation derives its existence not only from the complementarity between the purposes and principles of the two organizations but also, on the basis of a number of resolutions and decisions adopted by the respective legislative organs of both organizations. In this connection, special reference may be made to the Cooperation Agreement concluded on 9 October 1990, which provided for mutual cooperation in all fields: political, economic and social, scientific and cultural.

11. It is the understanding of OAU that the coordination of the efforts of regional organizations with those of the United Nations, in the context of pacific settlement of disputes and the maintenance of international peace and security, as provided for in Article 52 of the Charter of the United Nations, implies that that relationship must be conducted in such a way that the comparative advantage of the regional organization, on the one hand, and that of the United Nations on the other hand, optimally come into play. Thus, though OAU recognizes that the United Nations, being the world body, has the primary responsibility for international peace and security, and that it is endowed with greater material and financial resources, OAU brings to such a partnership, its political salience as the pre-eminent, continent-wide regional organization in Africa, deriving from its proximity to and better knowledge of local African conflict situations, the shared historical experience and culture of its member States and the political will to resolve its own problems.

12. A review of recent developments in Africa clearly demonstrates that the respective roles of the Organization of African Unity and the United Nations have been complementary and mutually

reinforcing. To this end special reference may be made to the successful mediation efforts relating to the Liberian conflict jointly conducted by the two organizations through the OAU Eminent Person and the Special Representative of the Secretary-General of the United Nations, together with the Executive Secretary of the Economic Community of the West African States (ECOWAS), whose collective efforts culminated in the signing of a peace agreement for Liberia, at Cotonou, Benin, on 25 July 1993, by the parties concerned. In the case of Rwanda, there is the prospect of the setting up of a neutral international force by the United Nations to implement the Arusha peace agreement on Rwanda. Such a Force will be replacing the OAU Neutral Military Observer Group (NMOG II). As regards Somalia, the OAU has fully cooperated with the United Nations in the efforts to bring about an end to the conflict and, in particular, in support of the process of national reconciliation.

13. Indeed, on this issue of coordination, it is pertinent to note that the Mechanism requires OAU to cooperate and work closely with the United Nations not only with regard to issues relating to peacemaking but, and especially, also those relating to peace-keeping. Further, where necessary, recourse could be had to the United Nations to provide the necessary financial, logistical and military support for OAU's activities relating thereto, in keeping with the provisions of Chapter VIII of the Charter of the United Nations on international peace and security.

14. With regard to the President of the Security Council's statement concerning the "timely and specific request for United Nations involvement", as well as the "readiness to provide resources", it is to be noted that though OAU is short of logistical, material and financial resources, it is well disposed to providing, through its member States, human resources for peace-keeping operations in Africa to add to the efforts deployed by the United Nations.

15. Furthermore, OAU agrees with the President's statement that one of the ways in which cooperation between the United Nations and regional organizations, such as OAU, can be improved is through the exchange of information and consultation. This, in fact, is already covered by the present cooperation agreement between the two organizations, as has already been stated. Nevertheless, there is a need to enhance and strengthen the existing pattern of exchange of information and consultations, especially in the area of monitoring and early warning of conflict situations.

16. Finally, attention should be drawn to the need to strengthen OAU's capacity to deal with conflict situations in Africa. In this respect, the Assembly of Heads of State and Government in their declaration on the Mechanism directed the Council of Ministers "in consultation with the Secretary-General, to examine ways and means in which the capacity within the General Secretariat can be built and brought up to a level commensurate with the magnitude of the tasks at hand and the responsibilities expected of the Organization". Clearly, this is an area where the United Nations could, as a matter of priority, consider offering the necessary assistance and support.

DOCUMENT S/26008*

Letter dated 28 June 1993 from the representative of Nicaragua to the Secretary-General

[*Original: Spanish*]
[*2 July 1993*]

I have the honour to transmit to you herewith a letter from His Excellency Ernesto Leal, Minister for Foreign Affairs of the Republic of Nicaragua, informing you of the various actions taken by the Government of our country following the discovery on national territory of secret arms caches belonging to the Salvadorian guerrillas.

I should be grateful if you would have the text of this letter circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Erich VILCHEZ ASHER
Minister Counsellor
Chargé d'affaires a.i.
of the Permanent Mission
of Nicaragua to the United Nations

LETTER DATED 22 JUNE 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF NICARAGUA TO THE SECRETARY-GENERAL

The Government of the Republic of Nicaragua, consistent with its political intent not to permit the use of its territory by irregular forces to destabilize other countries, and in fulfilment of the regional undertakings entered into in respect of disarmament and illicit arms transfers, informs the Secretary-General of the various actions it has taken following the discovery on national territory of secret arms caches belonging to the Salvadorian guerrillas.

1. As you correctly mentioned in your letter to the President of the Security Council dated 8 June 1993 [*S/25901*], the Government of Nicaragua, following the explosion of a secret arms cache located in the Santa Rosa repair shop, north of the city of Managua, requested the United Nations Observer Mission in El Salvador (ONUSAL) - the organ entrusted with verifying compliance with the Peace Agreement in that country - to send a delegation forthwith to conduct an on-site investigation into the circumstances surrounding these events and to confirm the destruction of the armaments found.

2. Accordingly, the national authorities, with the support of ONUSAL experts and with the collaboration of the Fuerzas Populares de Liberacion - the Salvadorian guerrilla faction which has assumed total and absolute responsibility for the existence in Nicaragua of these secret caches - began an investigation which led to the determination that there were 15 premises which were being used to store arms and documents, or as safe-houses.

This war *matériel* was duly itemized and promptly destroyed in the presence and with the collaboration of ONUSAL experts. Immediately thereafter, a conclusive report was prepared, giving the details of the various activities carried out, and a detailed inventory of the arms, instruments and equipment found in the various caches and safe-houses; this was drawn up by the national authorities, together with the special envoys from ONUSAL.

3. The Government of the Republic of Nicaragua considers it appropriate to underscore the promptness, diligence and transparency of the action taken in the face of this situation, as was recognized by the President of the Security Council himself in his statement of 11 June 1993 [*S/25929*] following consideration of the item entitled "Central America: efforts towards peace", when he said:

> "The Security Council takes note with satisfaction of the cooperation of the Government of Nicaragua in itemizing and disposing of the war *matériel* found."

4. The Government of Nicaragua likewise can not fail to point out that the corresponding criminal proceedings have been instituted against the various persons linked to the existence in Nicaragua of the secret war weapons. As stated in the said conclusive report, this is a

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* Circulated under the double symbol A/47/970-S/26008.

criminal case which is being heard in the Managua Fifth District Criminal Court.

5. Finally, the Government of the Republic of Nicaragua reiterates that it fully supports existing regional agreements concerning subversive activities and illicit armaments transfers, such as the Procedure for the establishment of a firm and lasting peace in Central America [*S/19085, annex*](known as the Esquipulas II Agreement, of 7 August 1987), sections 5 and 6, respectively entitled "termination of aid for irregular forces and insurrectionist movements" and "non-use of territory to attack other States"; and the more recent preliminary mechanism on assistance, cooperation and coordination for the elimination of illicit arms traffic in Central America, signed on 16 June 1992, by the Central American security commission in San Salvador, which contains specific measures for proper compliance with the security commitments of the Esquipulas procedure.

6. Thus, to comply with these regional undertakings, the Government of Nicaragua has promulgated, in accordance with those agreements, legislation designed specifically to prevent and punish anyone who supports irregular forces or who transfers arms. Act No. 112 of 4 October 1990 adds to the Penal Code a new offence, which reads as follows:

> "*Addendum to the offence against the peace of the Republic*
>
> "*Article 1.* Add to article 546 of the Penal Code a sixth paragraph, reading as follows:
>
> "*Paragraph 6.* Anyone who, within the national territory, promotes, assists or organizes foreign irregular forces, forms part thereof or uses or permits the use of national territory to instigate, assist or lend military or logistic assistance to such forces or to those organized in another country, by trafficking in, storing and transferring arms, equipment or military supplies, recruiting nationals and foreigners, billeting or training military personnel, installing and operating radio transmitters, television or radiocommunication stations or who assists or collaborates with them in any other manner, shall be liable to imprisonment from 3 to 10 years and confiscation of the arms, supplies and other property used to commit the offence."

7. Thus, by adopting domestic or international legislation, by inviting international bodies to verify the itemizing and disposal of war *matériel*, and by instituting criminal proceedings against those accused, the Government of the Republic of Nicaragua is demonstrating its indisputable devotion to peace and its attachment to international law, as a contribution to the peace process in the Central American region.

(*Signed*) Ernesto LEAL SANCHEZ
Minister for Foreign Affairs

DOCUMENTS S/26018 AND ADD.1

Report of the Secretary-General pursuant to Security Council resolution 838 (1993)

*DOCUMENT S/26018**

[*1 July 1993*]
[*Original: English*]

I. INTRODUCTION

1. In operative paragraph 1 of its resolution 838 (1993) of 10 June 1993, the Security Council requested the Secretary-General to submit as soon as possible a further report on options for the deployment of international observers on the borders of the Republic of Bosnia and Herzegovina, giving priority to the border between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro), in order to monitor effectively the implementation of relevant Security Council resolutions. According to the same paragraph, the international monitors are to be drawn from the United Nations and, if appropriate, from Member States acting nationally or through regional organizations and arrangements. The present report is submitted in order to describe such options, taking into account developments since the Secretary-General's report [*S/25000*] of 21 December 1992.

II. TASKS ARISING FROM THE RELEVANT RESOLUTIONS

2. The tasks as they relate to the relevant Security Council resolutions 713 (1991), 752 (1992), 757 (1992) and 787 (1992) have been summarized in paragraph 2 of my report of 21 December 1992. Since then, the Council has adopted resolution 819 (1993) which demands that the Federal Republic of Yugoslavia (Serbia and Montenegro) immediately cease the supply of military arms, equipment and services to Bosnian Serb paramilitary units in the Republic of Bosnia and Herzegovina. Further, the Council adopted resolution 820 (1993), which imposes a number of additional sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) and tightens the implementation of existing ones. In particular, in operative paragraph 12 of resolution 820 (1993), the Council decided that import to, export from and transshipment through the United Nations Protected Areas in Croatia and those areas in Bosnia and Herzegovina under control of Bosnian Serb forces with the exception of humanitarian aid shall be permitted only with proper authorization from the Governments of the Republic of Croatia or the Republic of Bosnia and Herzegovina respectively. In essence, these resolutions would require the border monitors to concern themselves with all movements of regular and irregular military personnel, weapons and other military equipment and supplies as well as goods subject to sanctions from neighbouring countries destined for Bosnia and Herzegovina or the UNPAs in Croatia.

3. A major consideration concerning the implementation of the present resolution is the fact that the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) had earlier expressed their preparedness to stop all but humanitarian supplies to the Bosnian Serb party. In its resolution, the Council takes note of this preparedness and urges the full implementation of that commitment. However, the highest authorities of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro) and of Serbia have made it clear that they will not submit its implementation to international monitoring.

4. It will be recalled that in paragraph 9 of my report [*ibid.*] I pointed out that the mere observing and reporting of traffic across the borders of Bosnia and Herzegovina would do little to ensure respect for the relevant resolutions of the Security Council. This could be achieved only by the deployment of United Nations personnel in sufficient numbers and with sufficient equipment to search vehicles and, if necessary, deny passage to forbidden goods. This would require full cooperation by the States concerned. As long as such cooperation is not forthcoming, resolution 838 (1993) cannot be implemented.

III. OPTIONS AND RESOURCE REQUIREMENTS FOR DEPLOYING A BORDER MONITORING FORCE

5. The United Nations Protection Force (UNPROFOR) has studied the possibilities of monitoring the borders of the Republic of Bosnia and Herzegovina in depth and developed two alternative options. Both these options are based on the following assumptions:

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* Incorporating document S/26018/Corr.1 and 2 of 2 July 1993.

(*a*) The border monitoring arrangements will require full cooperation from all parties concerned;

(*b*) Border monitoring ideally will have to include all international borders of the Republic of Bosnia and Herzegovina, with priority given to those with the Federal Republic of Yugoslavia (Serbia and Montenegro). Since the latter border is being controlled by governmental agencies of the Federal Republic of Yugoslavia (Serbia and Montenegro), the monitoring mandate should preferably be implemented from that side only. The same would apply to the border with Croatia;

(*c*) Given the nature of the terrain and the length of the borders it is impracticable to control the borders completely. In principle, only the major crossing points can be effectively monitored;

(*d*) Where applicable, UNPROFOR would focus its monitoring activity on the work of the national border control agencies.

6. The options and their respective requirements in terms of human and other resources are set out below. Each requirements table presents separately the requirements for monitoring the borders between Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro) [48 major crossing points] and between Bosnia and Herzegovina and Croatia [75 crossing points in addition to those where the international borders of Croatia coincide with those of the United Nations Protected Areas]. This amounts to a total of 123 crossing points along 1,100 km of borderline.

7. The following table outlines the different options and indicates the extent of monitoring or control, respectively, which would be established at each crossing point by deploying observers and/or troops.

	MONITORING ACTIVITY				RESOURCES	
OPTIONS	OBSERVE	REPORT	SEARCH	DENY ACCESS	OBSERVER/ TROOPS	INTERPRETERS
1. Border monitoring	X	X			8 each crossing	4 each
2. Border control	X	X	X	X	Platoon at each crossing	As required

The resource requirements of each individual option are set out below:

Option 1.

BORDER MONITORING											
FRY/B&H (48 OP)						FRY + CRO/B&H (123 OP)					
Observers	Interpreters	Other civilian personnel	Total	Radios	Vehicles	Observers	Interpreters	Other civilian personnel	Total	Radios	Vehicles
410	240	132	782	350	169	1 034	615	284	1 933	830	399

8. It should be noted that in this option the observer teams would not be in a position to check the nature of the goods carried in and out of Bosnia and Herzegovina. If such checks were to be carried out by the observers themselves, a much larger number of personnel with training in customs operations would be required. The effectiveness of this option would, therefore, largely depend on the *bona fide* cooperation of Croatian and Federal Yugoslav customs officers. In fact, the national agencies would continue to execute their border control functions but would be monitored by UNPROFOR observers. (In the United Nations Protected Areas, however, the local Serb authorities have refused to permit either UNPROFOR or Croatian officials to exercise border control and customs functions.)

9. Regarding the possible use of personnel from the European Community Monitoring Mission or other regional organizations and arrangements, it is the view of the UNPROFOR Commander that it would not be effective to establish mixed teams of UNPROFOR and European Community Monitoring Mission members. It would, however, be possible to divide the work, with teams from the Mission or other organizations monitoring specific crossing points assigned to them. UNPROFOR's headquarters, however, would have to be clearly in command of the arrangement and act as the sole reporting agency to the Security Council.

10. To reduce the requirements in terms of military staff, consideration might be given to filling the monitoring positions with Civilian Police (CIVPOL) monitors, former customs officials, retired border police officials etc. This would reduce the training time required and could also facilitate closer professional cooperation with their respective counterparts in the border control agencies of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro). Identifying such officials would, however, require the active cooperation of Governments of Member States. If ex-customs officers and/or border police officials are used, they would be integrated into UNPROFOR's existing civil affairs and Civilian Police structures. This would require additional staff at UNPROFOR Headquarters to provide executive direction and to manage and administer the civilian border monitoring staff.

11. In addition to the above, the deployment of UNPROFOR border monitor teams would necessitate the construction of accommodation at most of the crossing points.

Option 2

12. This option addresses the possibility that cooperation by the neighbouring countries may be limited or that the Council may wish to establish a higher degree of effective control of the borders of Bosnia and Herzegovina. Full border control would require a capability not only to observe and to report, but also to search, to deny passage and to interdict in cases where the borders have been already crossed. UNPROFOR would in effect supersede the national authorities in respect of certain national border control functions.

13. To fulfil such a mission, UNPROFOR estimates that it would need an infantry platoon at each crossing point. This also reflects the need for a minimum degree of protection for staff deployed at the borders. The total force requirements are presented in the following table:

BORDER CONTROL					
FRY/B&H (48 OPs)			FRY + CRO/B&H (123 OPs)		
48 crossings x 1Pl x 40 each (incl DJPC)		1 920	75 crossings x Inf Pl x 40 each		3000
4 Pl each Coy 12 Coys x 20 each HQ Coy	12 Coys	240	4 Pl each Coy 19 Coys x 20 each HQ Coy	19 Coy's	380
4 Coys each Batt 3 Batt's x 90 each HQ Coy	3 Batts	270	4 Coys each Batt 5 x 90 each HQ Coy	5 Batt's	450
Estimated Log spt Batt-level	200		Estimated Log spt Batt-level	200	
200 strong x 3		600	200 strong x 5		1000
Signal Platoon x 3		180	Signal Platoon x 5		300
Engs Coy		200	Engs Coy x 2		400
			1 Medical Unit		250
			1 Brigade size HQ/HQ Coy		250
TOTAL		3 410			6030

14. With a total of eight battalions deployed at the crossing points, additional third line logistics support would be required. This would entail expanding the current logistical bases in Zagreb and Split. Accordingly, UNPROFOR's logistical arrangements would have to be augmented by a Logistics Battalion of 1,000-1,200 all ranks.

15. In addition, a number of CIVPOL Monitors, interpreters and civilian affairs as well as administrative personnel would be needed. Moreover, there would be a need to construct significant additional accommodation and to expand the command and control structure of UNPROFOR.

16. The total additional human resources requirements would, therefore, range from 10,300-10,500 troops and civilian personnel. This would, however, be the essential requirement if UNPROFOR were asked to deny passage to arms and other proscribed material.

IV. OBSERVATIONS

17. In evaluating these options the Security Council may wish to bear in mind that world-wide resources for additional peace-keeping troops are increasingly stretched. In the case of the former Yugoslavia, the Force has been gradually increased to some 24,500 troops, military observers and civil police officers. The recent mandate for the establishment of safe areas will require the addition of a further 7,600 troops. Against this background, and taking into account the proposals made to me by the Force Commander, I have to advise the Council that it would be unrealistic for the Council to authorize option 2 as the means of implementing Security Council resolution 838 (1993).

18. Even for option 1, substantial additional resources in terms of observers and equipment would be required. Before deciding to try to implement this option, the Security Council might wish to establish whether Member States individually, or through their respective regional organizations or arrangements, would in reality be ready to make available the qualified staff required. It might also wish to take into account the current financial situation of the Organization as described in my report of 24 June 1993,[3] which shows that outstanding contributions to the peace-keeping accounts in mid-June totalled US$ 1,260 million, that total unpaid assessments at that date totalled US$ 2,235.7 million and that "it is highly probable that in the coming months the Organization will not be able to meet its day-to-day obligations". The members of the Council may also wish to bear in mind that even if the necessary personnel and finance were available, the effectiveness of option 1 would depend entirely on the cooperation of the neighbouring countries and the parties concerned in Bosnia and Herzegovina.

19. Preliminary estimates of the costs of option 1 will be circulated shortly as an addendum. The preliminary estimates for option 2 would in essence be identical to those already presented in my report of 8 January 1993 [*S/25000/Add.1*].

DOCUMENT S/26018/ADD.1

[*Original: English*]
[*13 July 1993*]

17. In my report of 1 July 1993 to the Security Council [*S/26018*], I indicated in paragraph 19 that the preliminary estimates of the costs to the United Nations of option 1 for enlarging the mandate and strength of the United Nations Protection Force (UNPROFOR) would appear separately as an addendum. I also stated in the same paragraph that the preliminary estimates for option 2 would in essence be identical to those already presented in my report of 8 January 1993 [*S/25000/Add.1*].

18. The additional responsibilities to be undertaken by UNPROFOR and the proposed increase in its strength are set out in paragraphs 2 and 7 of the main report [*S/26018*].

19. It is estimated that the cost associated with the additional responsibilities to deploy military observers at 48 major crossing points to monitor the borders between Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro) in accordance with option 1 will amount to some $41.2 million for an initial six-month period. It is further estimated that the monthly cost thereafter will be approximately $3.6 million. The inclusion of the borders between Bosnia and Herzegovina and Croatia would require the deployment of military observers at a total of 123 crossing points at an estimated cost of $94.8 million for the first six months and $8.1 million per month thereafter. A breakdown of the estimated costs for the first six-month period, by main categories of expenditure, is provided for information purposes in the annex to the present addendum.

20. It would be my recommendation to the General Assembly, should the Security Council decide to approve the proposed course of action and enlarge the mandate and strength of UNPROFOR, that the additional cost relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States be credited to the UNPROFOR special account.

ANNEX

Cost estimate of the additional costs to the United Nations for the activities of UNPROFOR

(*Thousands of United States dollars*)

Objects of expenditure	Initial six months	
	48 crossing points	123 crossing points
Military component		
(*a*) Military observers	10 111	25 498
(*b*) Contingent personnel		—
(*c*) Other costs pertaining to contingents	—	—
Civilian staff costs	3 977 [a]	8 119 [b]
Premises accommodation	3 431	8 373
Air operations	2 882	3 452
Transport operations	6 173	14 448
Communications	8 004	18 227
Miscellaneous equipment	4 648	11 847
Miscellaneous supplies, services, freight and support costs	1 976	4 795
Total	41 202	94 759

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[a] Provides for 18 international staff and 305 locally recruited staff.

[b] Provides for 25 international staff and 771 locally recruited staff.

DOCUMENT S/26022

Report of the Secretary-General on the implementation of Security Council resolution 837 (1993)

[*Original: English*]
[*1 July 1993*]

INTRODUCTION

1. The present report is submitted in pursuance of paragraph 9 of Security Council resolution 837 (1993) of 6 June 1993. In that resolution, the Council, acting under Chapter VII of the Charter of the United Nations:

> "1. *Strongly condemns* the unprovoked armed attacks against the personnel of the United Nations Operation in Somalia II on 5 June 1993, which appear to have been part of a calculated and premeditated series of cease-fire violations to prevent by intimidation the Operation from carrying out its mandate as provided for in resolution 814 (1993);
>
> "2. *Expresses* its condolences to the Government and people of Pakistan and the families of the Operation personnel who have lost their lives;
>
> "3. *Re-emphasizes* the crucial importance of the early implementation of the disarmament of all Somali parties, including movements and factions, in accordance with paragraphs 56 to 69 of the report of the Secretary-General of 3 March 1993 [*S/25354*], and of neutralizing radio broadcasting systems that contribute to the violence and attacks directed against the Operation;
>
> "4. *Demands once again* that all Somali parties, including movements and factions, comply fully with the commitments they have undertaken in the agreements they concluded at the informal preparatory meeting on Somali political reconciliation in Addis Ababa, and in particular with their Agreement on implementing the cease-fire and on modalities of disarmament [*S/25168, annex III*];
>
> "5. *Reaffirms* that the Secretary-General is authorized under resolution 814 (1993) to take all necessary measures against all those responsible for the armed attacks referred to in paragraph 1 above, including against those responsible for publicly inciting such attacks, to establish the effective authority of the Operation throughout Somalia, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment;
>
> "6. *Requests* the Secretary-General urgently to inquire into the incident, with particular emphasis on the role of those factional leaders involved;
>
> "7. *Encourages* the rapid and accelerated deployment of all Operation contingents to meet the full requirements of 28,000 men, all ranks, as well as equipment, as indicated in the Secretary-General's report of 3 March 1993;
>
> "8. *Urges* Member States to contribute, on an emergency basis, military support and transportation, including armoured personnel carriers, tanks and attack helicopters, to provide the Operation the capability appropriately to confront and deter armed attacks directed against it in the accomplishment of its mandate;
>
> "9. *Also requests* the Secretary-General to submit a report to the Council on the implementation of the present resolution, if possible within seven days from the date of its adoption."

2. In paragraph 57 of his report of 3 March 1993 [*S/25354*], which is referred to in paragraph 5 of resolution 814 (1993) and paragraph 3 of resolution 837 (1993), the Secretary-General listed the military tasks included in the mandate of the United Nations Operations in Somalia II (UNOSOM II).

3. The present report is divided into five sections, of which the first three are based on the interim reports submitted to the members of the Security Council and the UNOSOM II troop-contributing countries on 6, 14 and 18 June. Section I provides a brief account of the events leading up to the ambush of UNOSOM II troops in Mogadishu on 5 June and to the adoption of resolution 837 (1993). Section II covers the first phase of the implementation of the UNOSOM II programme, pursuant to resolution 837 (1993), to disarm South Mogadishu and neutralize broadcasting systems there that were inciting violence against UNOSOM II. Section III covers UNOSOM II's coordinated ground and air operation, launched on 17 June, to search and disarm the headquarters area in South Mogadishu of General Aidid (chairman of the United Somali Congress/Somali National Alliance (USC/SNA)). Section IV deals with the effect of the recent events on UNOSOM II humanitarian activities. Section V contains my observations on the events set out in the preceding four sections.

I. ATTACKS ON UNOSOM II TROOPS ON 5 JUNE 1993

4. I wish to mention that, during the course of the events described in the present report, I remained in constant touch with my Special Representative in Somalia.

5. The events of 5 June 1993 in Mogadishu were triggered by a scheduled inventory by UNOSOM II of five militia weapon-storage sites, one of which was co-located with the radio transmission relay facility north of the city, with another at the radio broadcast studio in the city itself. Prior written notice of the inspection had been given to the staff of General Aidid, Chairman of USC/SNA. However, while the inspection was in progress, several apparently organized demonstrations, roadblocks, ambushes and armed attacks began throughout Mogadishu South, all of them directed against UNOSOM II troops, including Pakistani troops guarding a feeding point for Somali civilians. Ostensibly these events were in protest against an alleged action by UNOSOM II, announced by General Aidid, to "seize" Radio Mogadishu (Aidid). No such seizure had taken place, nor was it intended. While General Aidid and USC/SNA denied it, the attacks that occurred on 5 June appeared to be a calculated, premeditated series of major cease-fire violations meant to challenge and intimidate UNOSOM II. The sequence of events is described in the following paragraphs.

6. At 4 p.m. on 4 June, UNOSOM II sent letters to the USC/SNA faction in Mogadishu informing the latter of its plan to conduct, on the following day, weapons verification inspections of the authorized weapons storage sites in four locations in South Mogadishu and one site in Afgoy. The last inspections had been conducted by the Unified Task Force (UNITAF) in January and February 1993.

7. On the morning of 5 June, the inspections began. Those at the Afgoy site and two of the four sites in Mogadishu were conducted without incident. The inspection at Site 5 - "Mogadishu Radio (Aidid)" location - went smoothly until it was near completion. At that time several agitators arrived on scene and began to incite the crowd that had gathered. At Site 4, a major storage site located at the Aidid radio retransmission facility, the inspection team met some verbal resistance but was allowed to enter and conduct the inspection. At this site, the team was subjected to sniper fire throughout the day. It was at Site 3 that a large number of weapons were found, including 62 Tow missiles, 2 Milan missiles and 1 SA-7, which were later removed. Thirteen technical vehicles and a number of machine-guns previously in storage were no longer present.

8. At about 10 a.m. in other areas in South Mogadishu, demonstrations began and the UNOSOM II Force Command headquarters was fired on. Pakistani and Turkish soldiers returned fire. Later, Pakistani units returning from incidents elsewhere in Mogadishu transited 21 October Road, where they encountered a large, carefully prepared three-sided ambush that resulted in extensive casualties. The quick reaction force was deployed in the afternoon to relieve the Pakistani forces pinned down in a facility known as the "cigarette factory" on 21 October Road. At feeding station No. 20, a Pakistani unit helping with food distribution was attacked by a carefully coordinated group of gunmen who used a crowd of women and children as a shield to overwhelm United Nations soldiers who refused to fire at the crowd. Several soldiers were murdered, others were wounded and the remainder were captured.

9. During these attacks, militia forces employed automatic weapons, RPGs and hand grenades. Serious disturbances continued throughout the day, including attacks on UNOSOM II civilian headquarters (where two hand grenades were thrown into its compound but did not explode), isolation of and attacks on Pakistani forces at checkpoints, random sniper attacks and armed roadblocks. As a result of the various attacks, in particular the large ambush on 21 October Road and the attack on feeding station No. 20, 25 Pakistani soldiers were killed, 10 listed as missing and 57 wounded (54 Pakistani, 3 United States). Casualties on the Somali side are believed to have been high but their numbers are not yet known.

10. Contact with USC/SNA was difficult to establish during the morning because of the intensity of the disturbances around UNOSOM II headquarters. The first contact was made through a UNOSOM II national officer at 1300 hours. This was followed by an afternoon meeting between a UNOSOM II official and two USC/SNA senior officials at USC/SNA headquarters, during which USC/SNA attempted to disassociate itself from the incidents, asserting that the disturbances were spontaneous outbursts by an angry public. In the light of the organized nature of the attacks, and several Aidid radio broadcasts accusing UNOSOM II of wrongly shooting women and children without provocation, the USC/SNA disclaimer is difficult to accept. At an early evening meeting, even as USC/SNA emissaries were assuring UNOSOM II officials of their good intentions and desire for the restoration of peace, Aidid radio and vehicle-mounted loudspeakers were continuing to agitate the public to attack UNOSOM II.

11. From the incidents of 5 June, it was clear that numerous weapons still remained with the public at large in Mogadishu. It was also clear that this would have to be factored into the UNOSOM II follow-up to the incidents, if security was to be maintained. Although investigations were not complete, the attacks constituted a gross violation of the cease-fire agreement and a blatant attack on United Nations troops.

12. Early on 6 June, General Aidid's personal broadcast over Radio Mogadishu fell far short of calming the situation as his emissaries had indicated was his intention. Instead, he articulated more anti-UNOSOM II rhetoric, urged calm if UNOSOM II acquiesced to his demands and violence if it did not. At this juncture, it would appear that the General was seeking a confrontation with UNOSOM II in order to take control of the political reconciliation and of the efforts to reactivate the Somali judicial system.

13. UNOSOM II sent a written message to General Aidid advising him of the United Nations and international community's outrage and urging him to desist from the disastrous course he had set for himself and his followers. It was pointed out to General Aidid that that was the last opportunity for him to become part of the peace process.

14. In order better to protect the civilian staff of UNOSOM II and international agency and non-governmental organization (NGO)

personnel after the 5 June attacks, the Special Representative decided to consolidate the staff of the operation into several secure and logistically supportable locations. From these sites UNOSOM II would continue to accomplish all essential work. Meanwhile, the Force Command was strengthening its posture and preparing for possible contingencies.

15. I have placed on record my appreciation and admiration for the courageous and disciplined manner in which the Pakistani and other UNOSOM II troops conducted themselves in very difficult circumstances while they were attempting to carry out their duties under the UNOSOM II mandate.

16. I have kept the Council fully informed of further developments relating to the situation in Mogadishu. On 6 June the Council, after considering my report [*3229th meeting*] on the incidents in Mogadishu on 5 June, adopted resolution 837 (1993).

II. ACTION TAKEN BY UNOSOM II: FIRST PHASE (12-14 JUNE 1993)

17. Preparations for the implementation of resolution 837 (1993) were undertaken by UNOSOM II immediately following the adoption of that resolution. The object of the subsequent UNOSOM II actions was to restore security and law and order in Mogadishu by implementing a comprehensive programme for disarmament in the capital, neutralizing broadcasting systems and other propaganda mechanisms used to incite violence and preventing further violations of the cease-fire. This would make it possible to resume the delivery of humanitarian assistance to the civilian population, facilitate economic rehabilitation and reconstruction and promote political reconciliation for all Somalis. At the same time UNOSOM II instituted a thorough investigation of the incidents of 5 June with a view to taking the measures indicated in paragraph 5 of resolution 837 (1993). UNOSOM II meanwhile remained open to dialogue, to ascertain if there was a way to carry out the resolution cooperatively. Regrettably, General Aidid and USC/SNA, by their actions, demonstrated that they did not desire a cooperative solution.

18. On 8 June a letter was addressed by the Special Representative of the Secretary-General to General Aidid, reminding him, *inter alia*, of the prohibition against the display of weapons and the requirement to cooperate fully in the disarmament programme in Mogadishu. However, efforts to deliver the letter to General Aidid personally were not successful until several days later. In a letter of the same date to the Chairmen of the 11 non-SNA Somali political factions, the Special Representative of the Secretary-General cautioned that no group or individual should seek to take advantage of the current tension in Mogadishu, and solicited the cooperation of all factions and movements towards the political and physical reconstruction of Somalia.

19. At 4 a.m. on 12 June, UNOSOM II began the implementation of the first phase of a programme pursuant to resolutions 814 (1993) and 837 (1993) to disarm Mogadishu South. This was an essential step in the light of the fact that the city was saturated with a vast arsenal of hidden illegal weapons, some of which had been used during the premeditated attacks of 5 June. In a series of carefully planned precision air and ground military actions, UNOSOM II disabled or destroyed ordnance, weapons and equipment located in three previously authorized weapons storage sites, and a related clandestine military facility used for the ambush on 5 June. These and subsequent strikes were conducted utilizing tactics that would minimize casualties as well as collateral damage to nearby areas. Where possible, ammunition not already destroyed was safely detonated by trained explosive ordnance personnel. The relay transmitter site for Radio Mogadishu was occupied and ammunition removed. Elements of the Pakistani, French, United States, Moroccan and Italian contingents participated in the first day's actions.

20. Another major objective of the coordinated military action called for by the Security Council in paragraph 3 of resolution 837 (1993) was the neutralization of Radio Mogadishu, the former Somali State radio, which had been taken over by USC/SNA and was being used to encourage violence against UNOSOM II. Two main targets associated with the radio system were the broadcast studio in downtown Mogadishu and a radio relay transmitter facility in one of the major authorized weapons storage sites. The broadcast facility was disabled by precision air attack in the early morning when minimally occupied. This timing avoided the military and civilian casualties that would have resulted from a ground assault by United Nations forces to seize the radio relay transmitter facility, on the other hand, was taken by integrated air and ground action, and held for the first day of operations. The site has since been evacuated and reusable equipment stored in a safe place. This equipment will be returned to the people of Somalia as soon as feasible. UNOSOM II intends to locate and take similar action in relation to Radio "Voice of the Somali Masses", which, since it started broadcasting recently, has issued inflammatory propaganda.

21. On 13 and 14 June UNOSOM II forces conducted additional precision air strikes on two clandestine weapons/ammunition storage sites within the SNA/Aidid Mogadishu stronghold area. One was a heavily guarded weapons, ammunition and vehicle storage area that held approximately 30 heavy weapons carrier "technical" vehicles in various states of repair. The site also served as a vehicle repair facility where "technicals" were assembled. In addition, the site was reported to contain large numbers of small arms and crew-served weapons, as well as an ammunition cache that included significant quantities of large-calibre automatic-weapons ordnance. The other site held technical vehicles, small arms and ammunition, plus heavy engineering equipment used to construct barricades. On the morning of 15 June, aerial reconnaissance observed and destroyed a 122-mm BM21-1 mobile rocket launcher in the stronghold area near the USC/SNA headquarters. This weapon is an indiscriminate 36-tube area weapon with a range of 500 metres to 20 kilometres, capable of striking anywhere in Mogadishu.

22. The actions of 12 to 14 June formed part of a continuing effort as called for by Security Council resolutions 814 (1993) and 837 (1993) effectively to initiate the disarmament process and neutralize all heavy weapons. This includes known USC/SNA weapons and ammunition storage sites and caches in and around Mogadishu, and any other which immediately threatened the city. UNOSOM II facilities were used to call on citizens of Mogadishu to turn in their arms peacefully and to help in the identification of clandestine arms caches. Getting arms under control is fundamental to the restoration of law and order and public safety.

23. Preliminary reports indicate that civilian crowds, including women and children, were used by General Aidid and his supporters as human shields to screen attacks on UNOSOM II fixed guard posts or strong points. Similar tactics resulted in the deaths of 25 United Nations soldiers as a result of the attacks of 5 June and an undetermined number of Somali civilian deaths at KM-4 on 13 June 1993. Evidence in hand shows that a violent demonstration was staged by SNA elements in which the crowd was encouraged by agitators to attack Pakistani soldiers at a strong point. Shots were fired from the crowd at United Nations soldiers on the ground, and automatic weapons fire was directed at them from an adjacent building. A United Nations rooftop covering position returned fire on those shooting at the UNOSOM II soldiers on the ground. Witnesses have stated that armed Somalis nearby fired into the crowd, confirming that that was a carefully staged incident calculated to create casualties before the world press and try to weaken the United Nations forces' effectiveness in dealing with organized mobs in the future. UNOSOM II's Force Command is developing revised tactics and additional riot control equipment has been introduced as a means of maintaining control of similar crowds. A UNOSOM II

investigation of the 13 June incident at KM-4 has been initiated, and every effort will be made to ascertain the facts and take whatever preventive action may be required to avoid any further civilian casualties.

24. Although the investigation was not complete at this stage, it was already apparent that there was a conspiracy to commit premeditated acts of violence and that agitation by various means was used in an attempt to stir public anger. Those responsible had not yet been identified but it was apparent that elements of USC/SNA conducted the attacks.

III. ACTION TAKEN BY UNOSOM II: SECOND PHASE (17-25 JUNE 1993)

25. At 1.30 a.m. on 17 June, UNOSOM II forces undertook a coordinated ground and air operation whose purpose was to search, clear and disarm the Aidid headquarters area in South Mogadishu known to be a USC/SNA stronghold. Several clandestine arms storage sites in this area had already been neutralized on 13 and 14 June.

26. This operation was carried out in a manner designed to minimize Somali casualties and to allow those in the stronghold to depart. Its objectives were successfully accomplished by mid-afternoon. Mines, hand grenades, weapons and numerous documents were evacuated from the enclave. Pakistani units operated inside the stronghold, while Moroccan, Italian and French forces formed a mechanized cordon around it, sealing the area. Outside and on the periphery of the cordon, the SNA militia initiated a series of attacks and ambushes from military strongpoints, coordinated in many instances with ostensibly unarmed groups of civilians. In at least one case, the "unarmed" civilians unleashed hand grenades at Moroccan troops who were holding their fire. Simultaneously, armed gunmen opened fire from a different direction. In the ensuing engagement, the outnumbered Moroccan troops fought valiantly, but suffered a large number of casualties, including their battalion commander who, although seriously wounded, continued to direct the defence of his besieged unit until his death. I wish on this occasion to pay a special tribute to the Moroccan soldiers for their great courage and devotion.

27. Subsequent coordinated UNOSOM II operations drove the militia from a number of their strong points, including the Digfer Hospital, which yielded a large number of militia prisoners from the hospital facility. The SNA militia used the hospital not only as a base for military operations but also as an ambush and defensive strong point with rifle and machine-gun positions firing against United Nations troops. Operations have continued to the present to attempt to locate additional clandestine weapons storage sites and to locate and disarm remaining elements of the SNA militia in Mogadishu.

28. The skill and courage with which United Nations coalition forces executed the cordon and the search, clear and disarm operation against the USC/SNA enclave and their professional response to the series of subsequent SNA attacks were impressive. By any measure, both the planned operation and the counteraction to SNA militia attacks represented significant successes. The positions of SNA and of General Aidid have been eroded, in terms of attrition of forces, disruption of command/control/communications and loss of clandestine weapons and ammunition. Concurrently, in the Belet Weyne region, Italian forces secured and destroyed two extensive SNA weapons inventories, which included large numbers of tanks, artillery pieces, mortars, machine-guns, anti-aircraft guns, mines and ammunition. Although some of the heavier equipment was unserviceable, much was still usable. In addition, over 30 artillery pieces located about 6 kilometres north of Mogadishu were destroyed by the quick reaction force. Although still a threat to stability, it is expected that the SNA militia in Mogadishu will now be less of an impediment to disarmament, political reconciliation and rehabilitation. Humanitarian assistance has already been stepped up in most sections of Mogadishu and should be back to normal soon.

29. UNOSOM II has continued to face the use of civilian crowds with women and children in front, screening armed attacks on United Nations troops. Such tactics require adequate crowd control measures and equipment. Although more capability is now on hand, additional crowd control equipment (e.g. tear gas/CS) is being acquired on an urgent basis.

30. As reported previously, UNOSOM II will continue its initial disarmament effort until satisfied it has neutralized all known USC/SNA weapons and ammunition storage sites and caches in and around Mogadishu and any others that threaten the city. After this is complete, UNOSOM II will undertake an orderly sector-by-sector disarmament of the city. However, the emphasis will shift to cooperative efforts involving Somalis and UNOSOM II as soon as feasible. UNOSOM II is regularly appealing to the citizens of Mogadishu to turn in their arms peacefully and to help in the location of clandestine arms caches. Disarmament is fundamental to the restoration of law and order and public safety, as well as to unimpeded progress in political reconciliation and national rehabilitation.

31. The United Nations investigation of the recent events has continued to progress, with evidence mounting in support of the premise that there was an SNA conspiracy to commit premeditated acts of violence against UNOSOM II on 5 June, that violations of international humanitarian law have been committed by SNA militia, and that agitation to stir public antagonism is also still being generated.

32. For the reasons set out above, the Special Representative of the Secretary-General for Somalia publicly called for the arrest and detention of General Mohamed Aidid on 17 June. The arrest and detention of General Aidid would be carried out under UNOSOM II's existing mandate which, *inter alia*, authorizes such forceful action as may be required to neutralize armed elements that attack United Nations personnel. Moreover, and as reaffirmed in paragraph 5 of resolution 837 (1993) "the Secretary-General is authorized ... to take all necessary measures against all those responsible for the armed attacks ... including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment." General Aidid's militia continues to attack United Nations personnel with sniping, premeditated confrontations violating international humanitarian law, and provocative rhetoric. Moreover, there is increasing evidence that General Aidid deliberately and personally directed the use of women and children for attacks on UNOSOM II soldiers; and that he directed his militia to shoot into the crowd on 13 June in order to create casualties and embarrass the Pakistani forces and UNOSOM II before the assembled world press. For these reasons, he is considered by UNOSOM II to be a menace to public safety. Therefore, his detention would ensure safety, including that of the Somali people. Others will also be arrested if evidence is developed implicating them in the same or similar crimes or in related illegal activities subsequent to the 5 June attacks.

IV. EFFECT OF THE EVENTS OF 5 TO 18 JUNE 1993 ON THE UNOSOM II HUMANITARIAN PROGRAMME

33. Despite the very limited resources made available so far for the 1993 relief and rehabilitation programme, United Nations agencies and a large number of NGOs had succeeded, prior to the events of 5 June, in implementing a wide range of humanitarian activities in various sectors. In addition to the provision of essential relief assistance, schools were being reopened, food-for-work was gradually

replacing free food distribution, income-generating activities were expanding and commercial enterprise was being re-established.

34. Following the attacks on UNOSOM II forces on 5 June, virtually all of the international relief workers in Mogadishu temporarily relocated to Nairobi. As a result of insecurity in Mogadishu South, many humanitarian programmes, including the distribution of food and medical supplies, came to a temporary standstill in that area. Understandably, the humanitarian agencies were concerned about the immediate and longer-term implications of the disruption in the delivery of urgently needed relief assistance. In addition to residents of Mogadishu, tens of thousands of displaced persons living in both parts of the city continue to rely exclusively on free food rations for their daily meals.

35. As soon as the security situation improved, UNOSOM II and those relief agencies with limited staff still in Mogadishu managed to restart the flow of relief assistance, initially to Mogadishu North. Beginning on 21 June, UNOSOM II forces were able to provide escorts to humanitarian agencies delivering food to distribution sites in Mogadishu South as well. On 22 June, food was delivered to seven sites each in both parts of the city. I would like to pay tribute to the dedicated humanitarian personnel who have maintained their operations under the difficult circumstances prevailing in Mogadishu.

36. The humanitarian programmes in other parts of the country have not been disrupted and staff belonging to United Nations agencies and NGOs continue to discharge their duties in many parts of Somalia. At the same time, it should be borne in mind that a number of areas depend on relief assistance that is dispatched from Mogadishu. It is, therefore, essential that the situation there return to normal as early as possible, so that all relief workers may return to their posts and the implementation of rehabilitation programmes proceed as planned.

37. My Special Representative travelled to Nairobi on 22 June to address the meeting of countries contributing humanitarian assistance to Somalia. The Department of Humanitarian Affairs, United Nations agencies and NGOs working in Somalia were also represented. Admiral Howe reiterated to the participants his commitment to re-establish the momentum of the relief and rehabilitation programme. His presence at the meeting was also intended to allay fears among some humanitarian agencies that the humanitarian dimension of UNOSOM II's mission was being marginalized as a result of military actions in the past two weeks.

38. It is essential that the impartiality and neutrality of humanitarian assistance continue to be respected and that adequate resources be made available to speed up the implementation of the relief and rehabilitation programmes in all parts of the country. In this context, it is important that the pledges made at the humanitarian meeting in Addis Ababa in March 1993 are converted into actual disbursements and that additional commitments are made. UNOSOM II will, for its part, continue with efforts to facilitate a positive environment for the successful implementation of the humanitarian programmes.

V. OBSERVATIONS

39. The unfolding of events in Mogadishu since 5 June 1993 must be seen against the background of the conditions that the United Nations Operation in Somalia was designed to remedy. It is the chaos, civil war, immense suffering and famine afflicting the Somali people that brought the international community and the United Nations to Somalia. The primary objectives of the mandate entrusted to UNOSOM II are to put an end to the plight of the Somali people, set them firmly on the path to economic rehabilitation and political reconciliation and promote the rebuilding of Somali society and political institutions. This requires the restoration of peaceful conditions throughout Somalia and the effective implementation of the process of disarmament. All the Somali factions committed themselves to such goals under the Addis Ababa agreements, and the Security Council assigned them to UNOSOM II as a priority task.

40. I consider that the UNOSOM II actions set out in the present report have been successful in making it possible to return to the pursuit of the main objectives of the United Nations in Somalia. UNOSOM II military enforcement actions have largely neutralized heavy weapons and the command and control facilities of the factions responsible for the large-scale violations of the cease-fire in Mogadishu. These actions have also made it clear that deliberate attempts to disrupt United Nations and NGO humanitarian relief supplies cannot be tolerated. Already, various elements of Somali society have shown not only an interest in restraint and reconciliation, but also in voluntary disarmament. The tragic price paid by United Nations personnel as well as Somalis in the recent series of events should never be forgotten. However, by demonstrating that it was willing to pay, and exact, the cost of peacemaking, the United Nations may well have saved many more lives and accelerated the disarmament, reconciliation and rehabilitation process.

41. Following the military operations conducted between 12 and 18 June, it is hoped that, barring any unforeseen developments, UNOSOM II will now be able to revert to the peaceful disarmament of all factions and militias throughout the country. It had never been the intention of UNOSOM II to oppose any of the factions, as long as they refrained from violations of the cease-fire, acted with due regard to their own commitments to the Addis Ababa agreements and cooperated in the implementation of the mandate entrusted by the Security Council to this humanitarian operation. In fact UNOSOM II intends to continue to work with all the factions, in an effort to foster conditions for the implementation of the United Nations mandate.

42. The attacks on United Nations peace-keepers were tragic and disturbing incidents, but they will not divert the United Nations from its commitment to Somalia. All they prove is that, in the unique situation prevailing in that country, there are elements that continue to believe, and wrongly so, that their interests are best served by perpetuating chaos, destruction and death. These elements apparently consider that their political prospects would be diminished if conditions in Somalia were normalized and peace restored.

43. I now urge all Somali factions to join UNOSOM II in its mission of peace, disarmament and reconciliation as defined by the Security Council and agreed upon by the faction leaders at Addis Ababa. For my part, I am determined to pursue all necessary efforts to implement resolutions 814 (1993) and 837 (1993).

44. What the recent incidents in Mogadishu also demonstrated was the courage and devotion of the soldiers of UNOSOM II, who on several occasions sustained death or severe injury while defending themselves and attempting to minimize civilian casualties.

45. I regret and mourn the loss of 29 United Nations soldiers from Pakistan and Morocco, killed in the performance of their peace-keeping duties, and the wounding of 88 soldiers from Morocco, Pakistan and the United States. I also deeply regret the casualties suffered by Somali civilians who were caught up in the incidents or were used deliberately to screen military attacks against UNOSOM II troops. In concluding this report, I wish to pay a tribute to my Special Representative, Admiral Jonathan Howe, the Force Commander, Lieutenant-General Cevik Bir, and to all the soldiers and civilian staff of UNOSOM II, as well as the staff of the United Nations agencies and of the NGOs, including Somali employees, for the dedication, courage and commitment they have shown in the performance of their complex and dangerous mission. I would also like to express my appreciation to those Member States which have contributed to the success of this operation.

DOCUMENTS S/26023 AND ADD.1 AND 2

Report of the Secretary-General on the situation in Abkhazia, Republic of Georgia

DOCUMENT S/18581

[*Original: English*]
[*1 July 1993*]

INTRODUCTION

1. The present report has been prepared pursuant to the statement of the President of the Security Council regarding the situation in the Republic of Georgia, dated 10 September 1992 [*S/24542*], which requested me to inform the Council periodically of the developments in Abkhazia. The report describes intensified efforts by the United Nations to seek a settlement of this conflict following the appointment of my Special Envoy for Georgia, Ambassador Edouard Brunner of Switzerland [*S/25756*].

I. MY SPECIAL ENVOY'S MISSION

2. My Special Envoy undertook his first mission to the Republic of Georgia from 20 to 25 May 1993. In Tbilisi, Ambassador Brunner and his team met with Mr. Eduard Shevardnadze, the Chairman of the Georgian Parliament and Head of State. The mission also conferred with Mr. Tengiz Sigua, the Prime Minister of Georgia, and Mr. Sandro Kavsadze, Mr. Shevardnadze's Personal Representative and Chairman of the Committee for Human Rights and Inter-Ethnic Relations. In Sukhumi, the capital of Abkhazia, the mission met with Mr. Thamaz Nadareishvili, the Prime Minister of the local government and Chairman of the Military Council, which remain loyal to the Government in Tbilisi. The mission also met with representatives of the Committee for Salvation of Abkhazia and with members of the Council of National Unity. In Gudauta, the seat of the Abkhaz party, the mission had meetings with Mr. Vladislav Ardzinba, the Chairman of the local Supreme Council, and his associates. Before returning to Tbilisi, the mission conferred with General Giorgi Karkarashvili, the Minister of Defence of Georgia. In Tbilisi, the mission had another round of meetings with Mr. Shevardnadze, Mr. Sigua and Mr. Kavsadze. It also met other Georgian authorities and representatives of the diplomatic corps in Tbilisi.

3. After his mission to Georgia, Ambassador Brunner travelled to Stockholm to consult with Mrs. Margaretha af Ugglas, Minister for Foreign Affairs of Sweden and Chairman-in-Office of the Council of the Conference on Security and Cooperation in Europe (CSCE), as well as with Ambassador Istvan Gyarmati of Hungary, the Personal Representative for Georgia of the CSCE Chairman-in-Office.

4. Following his talks with the CSCE representatives, my Special Envoy proceeded to Moscow, where he met with Mr. Andrei Kozyrev, Minister for Foreign Affairs of the Russian Federation, and Mr. Boris Pastukhov, Deputy Foreign Minister and Personal Representative of President Yeltsin for Georgia.

The position of the Georgian Government

5. In the talks with the Georgian authorities in Tbilisi and Sukhumi, Ambassador Brunner's interlocutors strongly emphasized their desire that the United Nations should play a major role in reaching a peaceful solution of the conflict in Abkhazia, based on the provisions of the Moscow agreement of 3 September 1992 [*S/24523*].

6. The Georgian Government requested the urgent deployment of a group of United Nations military observers (UNMOs) to Abkhazia in order to monitor the cease-fire agreed to by Mr. Shevardnadze and Mr. Yeltsin during their meeting in Moscow on 14 May 1993. The Georgian authorities also expressed their strong wish for the United Nations to play a role in monitoring the withdrawal of armed formations from Abkhazia, as provided for in the agreement of 3 September 1992, as well as the border between Georgia and the Russian Federation.

7. The Georgian Government warmly welcomed the possible convening of a peace conference on the conflict in Abkhazia. Such a conference, held under the auspices of the Secretary-General of the United Nations, should, in their view, take place within the framework of the agreement of 3 September 1992.

The position of the Abkhaz party

8. The Abkhaz authorities in Gudauta, led by Mr. Vladislav Ardzinba, expressed their interest in an active role of the United Nations in reaching a peaceful solution to the conflict in Abkhazia. Concerning the possible deployment of United Nations military observers, the Abkhaz party expressed the opinion that under present circumstances such a deployment would be premature and that such a step should be part of a comprehensive solution, including the withdrawal from Abkhazia of Georgian troops and irregular forces emanating from the Northern Caucasus region. In this connection, the Abkhaz side also demanded the political reinstatement of what they regarded as the legitimate authorities of Abkhazia.

9. The Abkhaz authorities strongly supported the holding of a United Nations- sponsored peace conference which in their view should be held on the basis of the 3 September 1992 agreement.

The position of the Russian Federation

10. At his meeting in Moscow with Foreign Minister Kozyrev and Deputy Minister Pastukhov, my Special Envoy was told that the Russian Government supported an active role of the United Nations in resolving the conflict in Abkhazia. The Russian side strongly endorsed the idea of an urgent deployment of United Nations military observers there. At the same time, Minister Kozyrev stated that his Government wished to give further thought to the possible convening of a United Nations peace conference.

11. Subsequently, at a meeting in Vienna on 15 June 1993 which was also attended by Ambassador Brunner, Mr. Kozyrev told me that his Government, at this stage, had serious reservations about a United Nations peace conference on the conflict in Abkhazia. He stressed that his Government preferred to pursue further regional efforts, under the agreement of 3 September 1992.

II. GEORGIAN REQUEST FOR DEPLOYMENT OF MILITARY OBSERVERS

12. Following these developments, my Special Envoy had a meeting with the Georgian Head of State in Brussels on 22 June 1993. Mr. Shevardnadze again stressed the need for urgent action by the United Nations. He strongly appealed for the immediate dispatch of United Nations military observers to be deployed in the government-controlled area of Abkhazia. Mr. Shevardnadze emphasized that such a step would be a significant undertaking by the international community to prevent a wider conflagration. if the present conflict could not be halted, it could spread to the entire Caucasus region.

III. OBSERVATIONS

13. The situation in Georgia is deteriorating. Continuing hostilities in Abkhazia are having a devastating effect on the country's economy and making it impossible for the Government to devote the necessary attention and resources to the opportunities resulting from independence. There is an urgent need to bring this conflict under control and negotiate a peaceful settlement.

14. As reported in my letter of 5 May 1993 to the President of the Security Council [*S/25756*], I believe that it is necessary to pursue a solution along three tracks: consolidation (and, if necessary, international monitoring) of the cease-fire; the launching of a political negotiating process, preferably under United Nations auspices; and support for these two processes by the neighbouring countries, amongst which the Russian Federation is of pre-eminent importance. My consultations and those of my Special Envoy have revealed that the Georgian Government and its supporters in Sukhumi fully support all aspects of my approach, that the Abkhaz side led by Mr. Ardzinba favours the conference but not, at the present time, the deployment of military observers and that the Russian side favours a deployment of United Nations military observers but has reservations about the conference, at any rate at this time.

15. To date my Special Envoy has presented my approach as an integrated package, with the deployment of United Nations military observers being linked to the launching of a viable political process and vice versa. I share the view, which is often expressed in the Security Council, that the United Nations should think carefully before undertaking a peace-keeping operation which is not linked to a political process with a reasonable prospect of success. Unless this rule is observed, there is a danger of open-ended peace-keeping commitments from which it can be difficult to withdraw without causing new hostilities. I have accordingly been reluctant to recommend the deployment of military observers before I was in a position to inform the Council that all concerned had agreed to engage in negotiation under United Nations auspices. For this reason I decided, after my meeting with Mr. Kozyrev on 15 June 1993, to put on hold the deployment of the five United Nations military observers referred to in my letter of 9 June 1993 to the President of the Council.

16. However, I have come to the conclusion that the maintenance of this position could lead to a further intensification of the conflict, with potentially severe consequences for the whole Caucasus region. The cease-fire agreement of 14 May came into effect on 20 May. It held for the first two weeks or so. But in recent weeks it has been violated daily, especially by Abkhaz shelling of Sukhumi, the capital of Abkhazia, which is still held by forces loyal to the Government. Civilian casualties have been rising. Georgia's Head of State, Mr. Shevardnadze, fears an imminent assault on Sukhumi across the river Gumista which constitutes a no-man's land between the opposing forces to the north of the city itself. He has asked for a preventive deployment of United Nations military observers to Sukhumi and to Ochamchira, another government-held city which is of critical importance for the defence of Sukhumi, as a first step to deter further escalation of this conflict and help restore the cease-fire. As mentioned above, this proposal is supported by the Russian Federation. The leader of the Abkhaz party in Gudauta has so far expressed reservations about the deployment of United Nations military observers on territory controlled by his side, but this question would not arise as the proposed deployment would be entirely on the government-controlled side. I would, of course, ask those with influence with the Abkhaz party to ensure that no hostile action was taken against the United Nations personnel and to convince that party to accept, as soon as possible, the deployment of United Nations military observers on its side also.

17. While being only too conscious of the dangers inherent in deploying United Nations personnel to an area where an agreed cease-fire is not being respected, I believe that the risk is justified in the present case given the urgent need to get the conflict in Abkhazia under control. I accordingly recommend that a group of 50 United Nations military observers, under a Chief Military Observer at the Brigadier-General level, should be deployed in Georgia, initially in the Sukhumi and Ochamchira districts of Abkhazia. The Observer Group's mandate would be:

(*a*) To discourage, by preventive deployment, further escalation of the conflict in Abkhazia, with special reference to the city of Sukhumi;

(*b*) To use its good offices to reinstate the cease-fire agreement which came into effect on 20 May;

(*c*) To report and, if possible, investigate cease-fire violations and endeavour to restore the status quo;

(*d*) To attempt to establish communications between the Georgian and Abkhaz forces with a view to forestalling violations of the cease-fire.

18. If the Security Council endorses the above recommendation, it will be my intention to deploy the 50 United Nations military observers as soon as the contributing Governments can make them available, given the threatening situation in the Sukhumi district. To make this possible, I would seek the cooperation of the Government of the Russian Federation in making available the necessary logistic support, especially vehicles and radios, on a temporary basis from resources of the former headquarters of the Soviet Union's Transcaucasian Military District which remain in Tbilisi.

19. The deployment of the Military Observer Group would, of course, be without prejudice to my continuing efforts to launch a peace process, involving the Government of Georgia, the two parties in Abkhazia and the Russian Federation. In accordance with the framework agreement recently concluded on cooperation between the United Nations and the CSCE,[4] it would be my intention to invite the Chairman-in-Office of the CSCE to be represented as an observer at an eventual peace conference.

20. The preliminary cost estimates for the deployment recommended in paragraph 17 above will shortly be circulated as an addendum to the present report.

DOCUMENT S/26023/ADD.1

[*Original: English*]
[*7 July 1993*]

1. The present addendum is a follow-up to my report to the Security Council of 1 July 1993 [*S/26023*], in which I indicated in paragraph 20 that I would shortly submit to the Council the preliminary cost estimates for the deployment of United Nations personnel to Georgia as described in paragraphs 17 and 18 of the report.

2. Should the Security Council decide to authorize the deployment of a United Nations military observer group in Georgia, it is estimated that the total cost would amount to $9,005,000 gross for an initial six-month period. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

3. It would be my recommendation to the General Assembly, should the Security Council decide to establish a United Nations military observer mission in Georgia, that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to a special account to be established for this purpose.

ANNEX

Cost estimates for the initial six-month period of a United Nations Observer Mission in Georgia

(Thousands of United States dollars)

Serial		*Amount*
1.	Military observers	2 430
2.	Civilian personnel	1 609
3.	Premises, rental and maintenance	365
4.	Transport operations	559
5.	Air operations	2 765
6.	Communications	483
7.	Miscellaneous equipment	203
8.	Miscellaneous supplies, services, freight and support costs	591
	TOTAL	9 005

DOCUMENT S/26023/ADD.2

[Original: English]
[7 July 1993]

1. The present addendum describes events in Abkhazia since my report of 1 July 1993 [*S/26023*]. It is based on information received daily from the United Nations Representative in Tbilisi and the military member of his staff who has visited some of the areas of fighting.

2. The shelling of Sukhumi by Abkhaz forces was resumed during the night of 1 July and intensified at 0600 hours on 2 July when more than 100 rounds were fired. At 0800 hours Abkhaz forces shelled Gulripshi which lies between Sukhumi and Sukhumi airport. The shelling of Sukhumi has continued unabated since then.

3. Later on 2 July about 300 Abkhaz combatants landed from the sea near the village of Tamysh in the Ochamchira district. They are said to have moved north since then and to pose a threat to Sukhumi.

4. Abkhaz forces have also been active on the Gumista river front north of Sukhumi. During the morning of 5 July they made five successive attacks, with artillery and air support, against the Georgian lines near Shroma and Ahalsheni villages. One Georgian SU-25 aircraft was shot down, reportedly by a heat-seeking missile, and the Georgian side claims to have destroyed two Abkhaz helicopters. Shroma is said to have been destroyed by shelling and heavy fighting continues in the vicinity.

5. On 6 July the Georgian Head of State, Mr. Eduard Shevardnadze, declared martial law in Abkhazia, initially for a period of two months.

6. Also on 6 July I received a letter from Mr. Vladislav Ardzinba, leader of the Abkhaz authorities in Gudauta, alleging that the shelling on 2 July had been started by the Georgian forces.

7. Discussions are taking place in Moscow between senior Russian, Georgian and Abkhaz representatives to revive the short-lived cease-fire which was agreed on 14 May and came into effect on 20 May. Progress is said to be slow. The Abkhaz side is insisting on a complete resolution of the conflict, not just a cease-fire, and is calling for the withdrawal of all Georgian troops from Abkhazia. Georgian proposals for the complete demilitarization of Abkhazia are opposed by the Abkhaz side which wants to keep its forces in being.

8. Mr. Ardzinba, in a letter of 5 July addressed to the Under-Secretary-General for Political Affairs, expressed his appreciation for the proposed deployment of United Nations military observers to Abkhazia. However, he wrote, both sides should first commit themselves to a cease-fire, the withdrawal of all Georgian troops from "Georgian-occupied territory" and all "volunteer groups" from Abkhazia, and the creation by both parties of the necessary conditions for the deployment and functioning of United Nations military observers.

9. Casualties appear to be heavy. Information from hospitals in the area of fighting on 7 July was that 77 Georgian soldiers had been killed and 481 wounded since 2 July; during the same period six civilians had been killed and 43 wounded. Two hundred fifty wounded Abkhazians were counted in one hospital in Gudauta by an independent observer.

OBSERVATIONS

10. Given this very serious deterioration in the military situation, I believe that it would not be wise to proceed with the actual deployment of 50 military observers, as proposed in my report [*ibid.*], until the cease-fire has been re-established and is being respected. In these circumstances the Security Council may wish to authorize me to take all the necessary steps to ensure that deployment can be done rapidly as soon as this condition is fulfilled.

11. I remain convinced that these developments underscore even more the importance of establishing as soon as practicable a viable peace process.

DOCUMENT S/26024*

Letter dated 1 July 1993 from the representative of Turkey to the Secretary-General

[Original: English]
[1 July 1993]

I have the honour to enclose the text of a statement of the Ministry for Foreign Affairs of the Republic of Turkey, dated 30 June 1993, regarding the debate held in the Security Council on 29 June 1993 on the situation in Bosnia and Herzegovina.

I should be grateful if you would have the text of the letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Tahsin BURCUOĞLU
Chargé d'affaires a.i.
of the Permanent Mission
of Turkey to the United Nations

TEXT OF THE STATEMENT

The draft resolution [*S/25997*] tabled by the non-aligned members of the Security Council yesterday, exempting the Government of the Republic of Bosnia and Herzegovina from the arms embargo and enabling that country to exercise the right provided by the Charter of the United Nations to defend itself against aggression, was not adopted, having received only six votes in favour and nine abstentions [*3247th meeting*].

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* Circulated under the double symbol A/48/229-S/26024.

Turkey regrets that result, but considers the positive vote of the United States, one of the five permanent members of the Council, as an encouraging development.

It is known that the General Assembly favours the lifting of the arms embargo on Bosnia and Herzegovina. Furthermore, the World Conference on Human Rights held recently at Vienna appealed to the Security Council to end the genocide taking place in Bosnia and Herzegovina. We understand from yesterday's debate that those members of the Council who abstained in the vote are not totally insensitive to the growing indignation of world public opinion over this issue. Nevertheless, since procedurally, in this instance, an abstention implied a vote against, they have been instrumental in preventing Bosnia and Herzegovina, a Member State of the United Nations, from exercising its right to self-defence.

We draw the attention of the international community to the fact that the continued imposition of the arms embargo on the Republic of Bosnia and Herzegovina, a country struggling to maintain its very existence against an aggressor extensively superior in arms and equipment, carries with it the responsibility for the daily loss of innocent lives there.

Turkey, once again calls upon the international community to take action to lift the unjust arms embargo imposed on Bosnia and Herzegovina. Turkey shall pursue its efforts in this direction with determination.

DOCUMENT S/26025

Letter dated 30 June 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*2 July 1993*]

I have the honour to present to you the attached letter, dated 28 June 1993, from my President.

May I request your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 28 JUNE 1993 FROM THE PRESIDENT OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

We appeal to the members of the Security Council to muster the necessary effort to halt the continued Serbian aggression against the town of Maglaj, and to secure a humanitarian aid convoy as well as the evacuation of the dead and wounded. Once again, the victims of the Serbian aggression against our country are civilians. The town of Maglaj has been subjected to long-term shelling which has been especially severe in the past few days. Tens of thousands of people are subjected to heavy artillery barrages, while simultaneously enduring the hardships of being without communications, electricity, safe and regular water supplies, food, medicine and other necessities.

The information coming in from Maglaj attests that the situation there continues to deteriorate, that living conditions have become unbearable and the consequences of this reality are many dead and many more seriously wounded. It is too late for the dead, but for the wounded and the ill and those who at any moment can become such, there is still much that can be done. You have the possibility to do it.

(*Signed*) Alija IZETBEGOVIC

DOCUMENT S/26026

Report of the Secretary-General on his mission of good offices in Cyprus

[*Original: English*]
[*1 July 1993*]

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I. *Confidence-building measures*
II. *Statement made to the press on 1 June 1993 on the joint meetings with the leaders of the two communities in Cyprus*

INTRODUCTION

1. In my most recent report to the Security Council, on 19 November 1992 [*S/24830*], I recounted in considerable detail what had transpired in the joint meetings between the leaders of the two communities, which, having begun in the period from 12 to 14 August 1992, had continued at United Nations Headquarters in the period from 28 October to 11 November 1992.

2. It will be recalled that in the above-mentioned report, I indicated that, by prior agreement, the joint meetings during the period from 28 October to 11 November had focused on the set of ideas [*S/24472, annex*]. I described in detail the respective positions of the two sides under each of the substantive headings of the set of ideas, as well as the reasons why progress had not been possible. I concluded, *inter alia*, that there was a deep crisis of confidence between the two sides and that therefore the prospects for progress would be greatly enhanced if a number of confidence-building measures were adopted by each side. The purpose of such measures, which I set out under eight headings, would be - through the creation of a new climate of confidence - to advance the goal of concluding an overall agreement on the basis of the entire Set of Ideas. I indicated that the time might have come to give fuller form to the earlier decision of the Security Council, reflected in its resolution 750 (1992) of 10 April 1992, to be seized of this matter "on an ongoing and direct basis".

3. In its resolution 789 (1992) of 25 November 1992, the Security Council endorsed the above-mentioned conclusions. The Council, *inter alia*, called upon all concerned to be prepared in the next round of talks to make decisions that would bring about a speedy settlement. The Council recognized that the completion of this process would be greatly facilitated by the implementation of measures designed to promote mutual confidence. It urged all concerned to commit themselves to a series of specific confidence-building measures, requested me to maintain such preparatory contacts as I considered appropriate before the scheduled resumption of the joint meetings in

March 1993 and to propose for its consideration revisions in the negotiating format to make it more effective, and requested me to provide a report to the Security Council after the conclusion of the joint meetings that would resume in March 1993.

I. THE EFFORT SINCE NOVEMBER 1992

4. On 18 March 1993, I informed the President of the Security Council in writing that, following the February 1993 elections in Cyprus, I had been in touch with the leaders of the two communities about the resumption of the process mandated by the Council and that the two leaders had accepted my invitation to come to New York for a one-day joint meeting with me on 30 March to discuss the timing, modalities and preparations for the resumption of substantive negotiations in pursuance of my mission of good offices as mandated by the Council.

5. On 26 March 1993, the President of the Security Council issued a statement [*S/25478*] on behalf of the members of the Council in which they, ***inter alia***, reaffirmed once again that the present status quo was not acceptable and that a mutually acceptable overall framework agreement should be achieved without delay on the basis of the set of ideas that had been endorsed by the Security Council, called on the leaders of the two communities to manifest their goodwill by cooperating fully with me so that significant progress might be made in the direct negotiations that were due to resume shortly, reaffirmed their determination to remain seized of the Cyprus question on an ongoing basis and to lend their active support to my effort, and requested that I report to the Council on the outcome of the 30 March joint meeting.

6. On 2 April 1993 I wrote to the President of the Security Council [*S/25517*] and reported on the outcome of my meetings with the leaders of the two communities. Referring to a public statement [*ibid.*] that I had issued on 30 March, I informed the President that the two leaders had agreed to resume the joint negotiations on Monday, 24 May at United Nations Headquarters using the set of ideas for the purpose of reaching freely a mutually acceptable overall framework agreement, and that the above-mentioned resumption of joint negotiations would be preceded by a preparatory process in which my representatives would meet with them in Nicosia in order, first, to clarify and address the concerns of the two leaders related to the Set of Ideas with a view to facilitating progress at the resumed joint negotiations and, second, to discuss the implementation of confidence-building measures with a view to creating a new climate of confidence that would contribute to the success of the negotiating process.

A. *Preparatory work in Nicosia*

7. The preparatory process agreed to by the two leaders on 30 March 1993 was conducted in Nicosia by my Deputy Special Representative in the periods from 15 April to 5 May and from 14 to 19 May. During those four weeks, Mr. Feissel had a total of 34 meetings with the two leaders, amounting in duration to almost 50 hours. These extensive discussions made it possible to develop ample material to enable the two leaders first, to reach agreement on a list of confidence-building measures, including on Varosha and Nicosia International Airport, and second, to make progress towards reconciling differences on a number of substantive issues as part of the ongoing process to reach agreement on the draft framework contained in the Set of Ideas.

8. During the preparatory process in Nicosia, my Deputy Special Representative stressed to both leaders the need to identify, in the context of an integrated whole approach, issues in the set of ideas that were significant in themselves and where an accommodation, to be reached ***ad referendum***, would bring benefits to both sides. Both leaders agreed to this approach. In the course of these meetings, encouraging ways of reconciling differences in three areas were discussed. The areas in question were: (*a*) displaced persons/territorial adjustments, (*b*) security and guarantee, and (*c*) the workability of the federal Government.

9. None the less, both leaders indicated a preference to concentrate the preparatory discussions on confidence-building measures. This was done. Beginning with the measures that I had put forward in paragraph 63 of my report of 19 November 1992, there emerged gradually a significant number of confidence-building measures that both sides would be prepared to implement - including the extending of the 1989 unmanning agreement to cover all areas of the United Nations-controlled buffer zone where the two sides are in close proximity to each other. These measures are set out in annex I to the present report.

10. In response to the wishes of the two leaders, a major portion of the discussions during the four weeks of preparatory work in Nicosia was devoted to securing agreement in respect of that part of Varosha that has been a ghost town since 1974 when it was fenced off by the Turkish Forces. It will be recalled that Security Council resolution 550 (1984) of 11 May 1984, *inter alia*, reserves Varosha exclusively for settlement by its pre-August 1974 inhabitants (preponderantly Greek Cypriots) and that the 1979 high-level agreement accorded high priority to resettling Varosha under United Nations auspices.

11. In the course of the preparatory discussion with the two leaders, it was recognized that the impact of an agreed arrangement concerning Varosha would be profound, but that such an arrangement could be achieved only if it was to benefit both sides in substantial measure. There was, as a consequence, much discussion of specific ways in which the benefits to accrue to the Turkish Cypriot side from an agreed arrangement concerning Varosha might be assured in practice. Draft provisions in respect of Varosha underwent successive adjustments as account was taken of many of Mr. Denktaş's proposals.

12. The Turkish Cypriot side stressed that the proposed arrangement whereby a significant area of Varosha would be placed under United Nations administration as a special area for bicommunal contact and trade would be insufficient compensation for relinquishing that area from its control. Mr. Denktaş took the position that adequate compensation should be provided by lifting the embargo that has been maintained on the Turkish Cypriot side. In particular, he called for Erçan (Tymbou) airport to be allowed to receive direct flights to and from European destinations and for the lifting of restrictions on seaports in the northern part of Cyprus.

13. My Deputy Special Representative underlined that, given the purpose of confidence-building measures, it was indispensable that neither side seek any political advantage or require the other side to make political concessions in this context. The benefits to accrue to each side would have to be significant in practical terms, but neither side should be asked to adopt measures that would require it, directly or indirectly, to change its position on the political status of the other. It was made clear that the United Nations would none the less try very hard to secure agreement on a package, the practical effect of which would be to lift most of the commercial obstacles encountered by the Turkish Cypriot side.

14. Against this background, as the preparatory discussions progressed in Nicosia, Mr. Denktaş mentioned the idea that Nicosia International Airport might be reopened for the equal benefit of both sides. In the latter part of the preparatory discussions in Nicosia it became clear that the two leaders were prepared to consider a package deal including both Varosha and the reopening of Nicosia International Airport for unhindered international traffic of passengers

and cargo to and from each side. It will be recalled that Nicosia International Airport is located in the United Nations Protected Area on the western outskirts of Nicosia and has been out of use since 1974. Detailed provisions were drafted in this connection also and these were gradually adjusted in the light of views expressed by each leader.

15. There thus emerged from the preparatory process in Nicosia three draft papers: (*a*) a list of 14 confidence-building measures, (*b*) detailed provisions concerning Varosha, and (*c*) detailed provisions concerning Nicosia International Airport.

16. The two leaders agreed that the joint meetings due to resume on 24 May in New York would be devoted in the first instance to an effort to reach agreement on confidence-building measures, in particular on Varosha and Nicosia International Airport, and that the aforementioned papers would serve as the basis for the discussion, whose objective clearly would be to reach an agreement. It was taken that the first 12 measures listed in annex I were acceptable to both sides.

B. *Joint meetings in New York*

17. The joint meetings resumed under my chairmanship at United Nations Headquarters on Monday, 24 May 1993. I was joined by Mr. Joe Clark, my newly appointed Special Representative. In the period up to 1 June, a total of six joint meetings took place. In addition, a joint working session was chaired by my Special Representative and numerous meetings were held with the respective delegations.

18. In conformity with what had transpired during the preparatory process in Nicosia, the two leaders confirmed their wish to devote their effort in the first instance to reaching an agreement on the Varosha and Nicosia International Airport package. They were each given the three papers whose contents had emerged from the preparatory meetings in Nicosia and with which both sides were entirely familiar before their arrival in New York.

19. The discussions from 24 May to 1 June revealed that the Greek Cypriot side was agreeable to the arrangements proposed for Varosha and Nicosia International Airport, provided that no provisions were added that would have the effect, directly or indirectly, of recognizing the "Turkish Republic of Northern Cyprus".

20. The Turkish Cypriot side stated that the placing of Varosha under United Nations administration was a major concession on its part, for which the establishment of Varosha as a special area for bicommunal contact and commerce, even when supplemented with the reopening of Nicosia International Airport, represented an inadequate recompense. The Turkish Cypriot side repeated that a proportionate compensation would be the removal of the embargo against the Turkish Cypriot side through the lifting of all restrictions on airports and seaports on the Turkish Cypriot side. Specifically, it was stated that the airline operated by the Turkish Cypriot side should be able to fly from Erçan (Tymbou) airport directly to destinations in Western Europe and that restrictions should be lifted from Famagusta port.

21. In this connection, I and my colleagues conferred at length with the President of the Council of the International Civil Aviation Organization (ICAO) and his Legal Counsel. It emerged that since international flights take place in the framework of air service agreements that are concluded exclusively between States, it did not seem possible, without recognizing a Turkish Cypriot State, to envisage the kind of arrangements related to Erçan (Tymbou) airport and the Turkish Cypriot airline that had been requested by the Turkish Cypriot side. I would like to express my gratitude to Mr. Assad Kotaite, President of the Council of ICAO, for the valuable technical assistance provided by his organization.

22. Mr. Denktaş suggested that practical ways could be found to facilitate agreement on the use of Erçan (Tymbou) airport without implying recognition by the Greek Cypriot side of the "TRNC" authorities. Mr. Denktaş put forward, as an example, an arrangement that had been made earlier in 1993 concerning flights to and from Taiwan by a United Kingdom-registered airline. However, when the details of that arrangement were examined, it became evident that the Turkish Cypriot side would be unwilling to accept such an arrangement *mutatis mutandis* in the case of Cyprus.

23. With regard to the request by Mr. Denktaş that the Turkish Cypriot Airline be allowed to fly directly to destinations in Western Europe, it emerged that the airline known as Cyprus Turkish Airlines is, in fact, an airline registered in Turkey. A further effort was made to accommodate the position of Mr. Denktaş and, during discussion, it was agreed that Nicosia International Airport would be open to foreign airlines, and that airlines registered in the Republic of Turkey would enjoy the same rights.

24. Also in respect of Nicosia International Airport, Mr. Denktaş had emphasized the importance of receiving assurances that, if an agreement was reached providing for the unhindered flow of persons and goods, the Greek Cypriot side would not impede its implementation through any kind of harassment, including negative publicity or legal action. The Greek Cypriot side agreed that both sides would commit themselves to take no action of any kind that would in any way prevent, or adversely affect, the free movement of people or goods through Nicosia International Airport to and from both sides; that the United Nations would be empowered to look into any complaints brought forward by either side, and that both sides would agree to implement the United Nations recommendations.

25. As regards Varosha, the Turkish Cypriot side stated that it would wish to exclude a significant part of the northern end of the fenced area of Varosha from the area that would come under United Nations administration. The excluded area would be the part of the fenced area that lies to the north of Dhimokratias Street. Mr. Denktaş explained that he would wish to retain this section so that it could serve as a security buffer between the United Nations-administered area and the port of Famagusta. He added that he would wish to settle the retained section with Turkish Cypriots, in anticipation of the territorial arrangement that would be part of an ultimate overall settlement of the Cyprus problem. He stated that that was the position that had been put forward by the Turkish Cypriot side in 1981 as part of its proposal for a territorial adjustment in the context of an overall settlement.

26. I and my colleagues gave serious consideration to the views expressed by the two sides. Once again, the proposed arrangements were adjusted, with the agreement of Mr. Clerides, (*a*) to take account of the security concerns that had been put forward by Mr. Denktaş, *inter alia* through a phased implementation of the proposals concerning Varosha, and (*b*) to overcome existing economic obstacles and provide to the Turkish Cypriot side the same benefits at Nicosia International Airport that they wished to have at Erçan (Tymbou) airport, through a provision that would open Nicosia International Airport to Turkish-registered airlines and through a prohibition on any action by the authorities of either side that would in any way impede or prevent the implementation of any of the arrangements included in the package.

27. By the evening 27 May, I was of the opinion that, in view of the extensive preparatory work that had been undertaken in Nicosia and the further work accomplished with the two leaders in New York, the time had come when the two leaders could be asked to confirm their agreement to the basic principles concerning Varosha and Nicosia International Airport. I indicated that, upon receiving a positive response from both sides, the United Nations, in consultation with the two sides, would work out in Nicosia the detailed

arrangements for implementation by agreed dates of the agreed provisions on Varosha and Nicosia International Airport.

28. At the joint meeting that took place on Friday, 28 May, I asked both leaders to give their considered positions on the three papers, as supplemented during the joint meetings in New York. Mr. Denktaş indicated that, before he could give his response, he would have to consult with his "Government" and "Parliament" as well as with the Government of Turkey. He said that he would wish to leave New York for Cyprus and Turkey and that, because of the imminent Bayram festival, he could not return to United Nations Headquarters before 21 June. It was my view that, since all the issues contained in the three papers had been extensively discussed during four weeks of preparatory talks in Nicosia and since all the adjustments made in New York had been in response to further points put forward by Mr. Denktaş, it was not clear why further prolonged consultations elsewhere were necessary. Mr. Denktaş then proposed to return by 15 June. I concluded that, in the circumstances, it would be reasonable to expect Mr. Denktaş to complete his consultations in Nicosia and Ankara within a week and to be in a position after such a recess to return to the table to present a conclusive response. I proposed accordingly that Mr. Denktaş leave New York forthwith and return by Friday, 4 June. Mr. Clerides, for his part said that he would be willing to await the return of Mr. Denktaş to New York on Friday, 4 June. When Mr. Denktaş maintained his position that it would take time to arrange such consultations and that that required several weeks, I concluded that it was necessary for this development to be considered in the presence of the President of the Security Council and the representatives of its permanent members.

29. On 1 June, in the presence of the President of the Security Council and the representatives of its permanent members, a further joint meeting of the two leaders was chaired by my Special Representative. Mr. Clark read out on my behalf a statement that reviewed the events described in the preceding paragraphs and that contained the following conclusions:

> "First, the package of confidence-building measures that had emerged from the four weeks of preparatory talks in Nicosia and the discussions of the preceding week in New York was eminently fair. It contained significant and proportionate economic and other practical benefits for both sides.
>
> "Second, the package required neither side to compromise on its substantive political positions.
>
> "Third, the package contained no surprises. All of its elements had been dealt with exhaustively during an intensive preparatory process in Nicosia. Therefore, both sides should have been able to complete the work in New York and to reach an agreement here.
>
> "Fourth, if further consultations were indeed necessary, the parties should be able to come back to the table in no more than one week's time with considered definitive positions on whether the package was acceptable to them. It would be my expectation that any consultations which Mr. Denktaş might undertake would be to promote the acceptance of the package that had emerged over the preceding weeks.
>
> "Fifth, the two leaders owed it to their people and to the international community - which has devoted so much time and resources to the Cyprus problem - to manifest their commitment and goodwill by taking the modest step proposed. It involved no risk, but would be likely to have a dramatic impact in overcoming the existing mistrust between the two communities and in facilitating the achievement at long last of an overall settlement."

30. The representatives of the five permanent members of the Security Council each made statements in specific support of the proposals related to Varosha and Nicosia International Airport and called for prompt acceptance of these proposals.

31. Mr. Denktaş then reiterated his desire to undertake consultations in Nicosia and Ankara. He stated that he would return to New York on 12 June, in time for a resumption of the joint meetings no later than 14 June. He also undertook that the purpose of his consultations in the region would be to promote acceptance of the Varosha/Nicosia International Airport package as it had emerged in New York. On this explicit understanding, reached in the presence of the President of the Security Council and the representatives of the permanent members, it was agreed that the joint meetings would resume in New York no later than Monday, 14 June. That agreement is reflected in a public statement that I issued immediately after the joint meeting of 1 June, the text of which is set out in annex II to the present report.

C. *Developments since 1 June 1993*

32. Mr. Denktaş returned to Nicosia on 3 June. He visited Ankara from 8 to 11 June and, while there, he addressed the Turkish Grand National Assembly on 10 June. During this period, Mr. Denktaş made numerous public statements. Upon his arrival at Ankara airport on 8 June he expressed strong criticism of the Varosha/Nicosia International Airport package, stating that he would be obliged to reject the package if pressed to give a positive or negative reply. In his address to the Turkish Grand National Assembly on 10 June, Mr. Denktaş repeated his strong criticism of the package and declared that, under the circumstances, he saw no point in returning to New York. He described the proposed package in a manner that would suggest that the benefits of the proposal were not fully recognized. He added that he would send his colleague Mr. Atakol to New York to convey to the United Nations a number of questions that he had in mind concerning the package and to receive answers thereto. He concluded that he would then be able to make an assessment of the situation. This address and other public statements by Mr. Denktaş have not conformed with his undertaking on 1 June to promote the acceptance of this package.

33. Public statements by the President and the Acting Prime Minister of Turkey indicated that the Government of Turkey supported the Varosha/Nicosia International Airport package and encouraged its acceptance. This position was also reflected in a letter that the Foreign Minister of Turkey addressed to me on 11 June on behalf of President Demirel.

34. On 11 June, my Deputy Special Representative was informed by the representative in New York of the Turkish Cypriot community that Mr. Denktaş, his prior agreement notwithstanding, would not be in New York for the joint meetings that had been scheduled to resume no later than 14 June. Instead Mr. Atakol would be in New York on that date to explain the situation and to pose a number of questions on behalf of Mr. Denktaş. I informed Mr. Clerides that, in view of the unilateral action by Mr. Denktaş, the 14 June joint meeting of the two leaders could not take place as had been agreed. On 12 June, I issued a public statement in which I expressed regret that Mr. Denktaş had departed unilaterally from the agreement that had been reached on 1 June. I added that, in light of this new, regrettable development, I would submit a report forthwith to the Security Council.

35. On 14 and 15 June, Mr. Atakol met with my Deputy Special Representative in New York and conveyed the position of Mr. Denktaş that, for the Varosha/Nicosia International Airport package to be acceptable, the northern part of Varosha, northwards from Dhimokratias Street, must remain with the Turkish Cypriot side. That, said Mr. Atakol, was the "bottom line". In addition, he said that all embargoes would have to be lifted from air and seaports in the northern part of the island. Mr. Atakol added that whether Mr. Denktaş came to New York would depend on what the

Secretary-General might decide in light of the evaluation that the Secretary-General would make of the above-mentioned message from Mr. Denktaş. Contrary to the public statement of Mr. Denktaş, Mr Atakol did not ask any other questions relating to the package.

II. THE PACKAGE

A. *Varosha*

36. This proposal pertains to the fenced area of Varosha, which is located to the south of Famagusta on the east coast of Cyprus. The fenced area is some distance to the north of the United Nations buffer zone. It is surrounded on three sides by land that is under Turkish Cypriot control and, on the fourth side, to the east, by the sea. It extends for a distance of some 4 kilometres north-south, and some 1.5 kilometres east-west. The fenced area comprises only a small part of the whole of Varosha. It has been a ghost town since August 1974 when it was fenced off by the Turkish Forces. The United Nations has since then held the Turkish Forces, and therefore the Government of Turkey, responsible for the maintenance of the status quo in the fenced area. In resolution 550 (1984), the Security Council declared that that area could be settled only by its original inhabitants.

37. The proposal concerning Varosha, as supplemented in the New York discussions, is that the fenced area would be placed under United Nations administration as from an agreed date, pending a mutually agreed overall solution to the Cyprus problem. It would be a special area for bicommunal contact and commerce, a kind of free-trade zone in which both sides could trade goods and services.

38. In detail, the proposal provides for the following:

- In administering the fenced area (the Area), the United Nations could enlist the advice and assistance of both sides. The United Nations would be responsible for the security of the Area. The costs of the administration and security of the Area would be borne locally in an agreed manner.

- The Area would be opened in two stages. In stage one, that part of the fenced area to the south of Dhimokratias Street would be opened, two months after being placed under United Nations administration, for rehabilitation, the owners of property in that part could reclaim possession of their property and bicommunal contact would be initiated in line with the provisions of the two subparagraphs immediately hereunder. In stage two, beginning at an agreed date, the same arrangements would be applied to the part of the fenced area to the north of Dhimokratias Street.

- The Area would have a special character for intercommunal contact and trade. The chambers of commerce and industry of both sides would assist the United Nations administration in the Area in developing and implementing intercommunal trade for the benefit of both communities. In addition, organizations of both communities selected by the United Nations would assist the United Nations administration in the Area in developing and implementing intercommunal contact.

- Greek Cypriots and Turkish Cypriots would be able to enter the Area freely and without any formality. They could engage in commercial activities, including the sale of products, produce and services brought there from their respective sides. Those who wished to establish commercial enterprises in the Area and who do not own property in the Area would be provided premises on the basis of long-term leasing and the construction of new premises.

- The chambers of commerce and industry of the two sides would together identify, develop and promote joint ventures between Greek Cypriots and Turkish Cypriots. Arrangements would be made to facilitate the financing of such projects through loans, loan guarantees, etc.

- The unhindered travel of foreign visitors provided for in the arrangements concerning Nicosia International Airport (see para. 43 below) could be exercised through Varosha. Foreign visitors in the south would be able to travel unhindered from the southern part of the island to the northern part of the island through the Area.

- The laws to be applied in the Area would be those that were in force in Cyprus on 1 December 1963. Cases involving persons from both communities would be heard jointly by a Greek Cypriot and a Turkish Cypriot magistrate designated by their respective communities.

- Pending a mutually agreed overall settlement, the above arrangements could not be amended in any way without the consent of both sides and of the United Nations administration in the Area. Either side could address to the United Nations any complaint about the implementation of the above arrangements by the other side. The United Nations administration in the Area would consider the matter without delay. The two sides would be obligated to implement the recommendations of the United Nations promptly and in good will.

- These arrangements would be implemented without prejudice to the respective positions of both sides on an overall settlement of the Cyprus problem.

39. The arrangements foreseen have important benefits for both sides and for the reconciliation of the two communities, while involving no real sacrifice for either, since the fenced area is all but uninhabited and is the responsibility of the Government of Turkey, and the area in question would not be placed under the control of either side.

40. The main benefit of the proposed arrangements for the Greek Cypriot side is that the owners of property in the area that would come under United Nations administration would be able to reclaim possession of their property and rehabilitate it.

41. The Turkish Cypriots would derive major benefits from guaranteed opportunities to engage freely in trade and other business activities in Varosha, including the sale of products and services brought in from their side, and to this end they would be assured premises on the basis of long-term leasing and the construction of new premises. The Turkish Cypriot community would have an equal opportunity to benefit from the commercial possibilities in the special area, including direct employment and other economic activity during and after its reconstruction. In addition, the Turkish Cypriot economy would benefit from direct access to the economy of the Greek Cypriot side. It should also be noted that Varosha is located only a few miles from an area in the south that attracts approximately 1 million foreign tourists each year and is equally close to an area in the north that is replete with important tourist attractions, including the city of Famagusta. It can therefore be expected that a significant number of overseas tourists would wish to travel from the south to the north through Varosha.

B. *Nicosia International Airport*

42. The proposal on Nicosia International Airport, as supplemented in New York, would open the airport for the equal benefit of both sides.

43. In detail, the proposal provides for the following:

- Nicosia International Airport (the Airport) would be opened for civilian passenger and cargo traffic under the administration of the United Nations in cooperation with ICAO as from an agreed date and pending a mutually agreed solution to the Cyprus problem.

- Traffic rights at the Airport would be limited to foreign airlines that have traffic rights in Cyprus. Such rights would be enjoyed by lines registered in the Republic of Turkey.

- Landing charges for the Airport would be arranged by the United Nations/ICAO in such a way as not to affect adversely existing agreements with other airports in Cyprus.

- There would be free access to and from the Airport from both sides.

- Foreign visitors who entered Cyprus through Nicosia International Airport could, during their stay on the island, travel unhindered between the two sides.

- In administering and operating the Airport, the United Nations/ICAO could enlist the advice and assistance of both sides.

- The United Nations/ICAO would be responsible for the security of the Airport.

- The costs of making the Airport operational and of its administration, operation and security would be borne locally in an agreed manner.

- Both sides would commit themselves to take no action of any kind to prevent or adversely influence the free movement of people or goods through Nicosia International Airport. In this connection, either side could address to the United Nations administration of the Airport any complaint concerning the implementation of this commitment. The administration would consider the matter without delay and the two sides would commit themselves to implement promptly and in good will the recommendations that administration might make in the matter.

- These arrangements would be implemented without prejudice to the respective positions of both sides on an overall settlement of the Cyprus problem.

44. The reopening of Nicosia International Airport in the manner set out above would have a profound impact on the economic situation of the Turkish Cypriot community. It would provide a direct link with the economies of other countries. The Turkish Cypriot community would be able to export products and produce direct to overseas markets and to import in a similar manner. In addition, the way would be open for it to attract a significant direct flow of foreign tourists to the northern part of the island. It would also enable Turkish Cypriots to travel overseas unhindered, direct from Nicosia.

III. OBSERVATIONS

45. The intensive effort undertaken with both leaders since mid-May has created a major opportunity to make significant progress which, I am convinced, would move the Cyprus problem substantially closer to an overall solution. All concerned have a special responsibility to bring this effort to a positive conclusion.

46. In my report of 19 November 1992, I had concluded, and my conclusion was shared by the Security Council and indeed by all parties concerned, that the prospects for progress would be greatly enhanced if a number of confidence-building measures were adopted by both sides. At the outset of the talks in New York, the two leaders agreed that, while sight should by no means be lost of the substantive issues involved in an overall framework agreement, the objective of the joint meetings would be to seek agreement on a package of confidence-building measures, in particular measures to reactivate Varosha and Nicosia International Airport, which have lain idle and unused for nearly 20 years. As I stated to the two leaders in my opening remarks on 24 May, I was particularly gratified that, during their four weeks of preparatory discussions in Nicosia, they were able to bring these proposals to such an advanced stage.

47. As I have described in some detail in the present report, the Varosha/Nicosia International Airport package would bring considerable and proportionate benefits to both communities. For the Turkish Cypriot side, it would mean the lifting for all practical purposes of the economic obstacles that have been weighing so heavily on their community, especially as regards overseas travel and trade, and the development of a significant tourist industry. For the Greek Cypriot side, it would open the way for owners of property in the fenced area of Varosha to reclaim possession of their property and start using it again.

48. The advantages of this package for the two communities would go beyond the important economic gains that each side would receive. It would open avenues of contact between the two communities that would give each the opportunity to manifest its goodwill towards the other and to lay the foundation for the kind of relationship that should exist in a federation. I am convinced that acceptance of this package would help to overcome the existing mistrust between the two communities and would serve as a catalyst for our ongoing effort to achieve, as an integrated whole, a just, durable and mutually agreed overall settlement on the island.

49. I am disappointed that, despite the assurances he gave on 1 June in the presence of the President of the Security Council and the representatives of its five permanent members, Mr. Denktaş did not promote the acceptance of the package during his consultations in Nicosia and Ankara. I also deeply regret that Mr. Denktaş failed to honour the agreement of 1 June to resume the joint meetings on 14 June.

50. I remain hopeful that, once the benefits of the package are fully presented, its merits will yet commend themselves to all concerned, for its implementation would, without doubt, constitute the most important forward step in Cyprus in almost two decades. In this connection, it has been a source of some encouragement to me that the Government of Turkey has expressed public support for the package and has encouraged its acceptance.

51. I am confident that implementation of the present confidence-building package would be followed before long by significant progress on the substance of an overall framework agreement. On the other hand, I fear that, if we do not achieve an agreement on the package, the effort to seek an overall settlement to the Cyprus problem will suffer a major setback. I therefore intend to maintain my efforts to reach agreement on the Varosha/Nicosia International Airport package without delay. To this end, I have asked my Special Representative to visit Cyprus, Greece and Turkey in the next few weeks.

ANNEX I

Confidence-building measures

- Expert cooperation on the short-term and long-term water problem in Cyprus, in particular increasing the water supply.

- Expert cooperation on education, in particular to promote intercommunal harmony and friendship.

- Joint cultural and sports events, including the joint use of the Cetinkaya field in the buffer zone near the Ledra Palace Hotel.

- Meetings of political party leaders of both sides.

- Journalists of both sides may cross the lines by only showing their press identification cards issued by the United Nations. Open joint journalist meeting room at the Ledra Palace Hotel.

- Meetings of the Chambers of Commerce and Industry of both sides to identify and develop joint commercial projects.

- International assistance shall benefit the two communities in an equitable manner.

- Expert cooperation in areas such as health and the environment.

- Cooperative arrangements on electricity, taking into account that the electric generator in the north will come on stream soon.

- Intercommunal cooperation in Pyla, including the free movement of goods in the same manner as agreed in Varosha.

- Cooperation between the representatives of the Greek Cypriot and Turkish Cypriot communities of Nicosia to identify and implement joint projects for the benefit of both sides in Nicosia.

- Cooperation with the United Nations Peace-keeping Force in Cyprus in extending the unmanning agreement of 1989 to cover all areas of the United Nations-controlled buffer zone where the two sides are in close proximity to each other.

- Varosha (see paras. 37 and 38 above).

- Nicosia International Airport (see paras. 42 and 43 above).

- Representatives of the two communities will meet periodically to propose additional confidence-building measures for implementation by both sides.

ANNEX II

Statement made to the press on 1 June 1993 on the joint meetings with the leaders of the two communities in Cyprus

In the absence of the Secretary-General, Mr. Joe Clark, the Special Representative of the Secretary-General for Cyprus, chaired a joint meeting this evening with the leaders of the two communities in Cyprus. The President of the Council and the representatives of the permanent members of the Security Council were also present.

Mr. Clark opened the meeting by reviewing the discussions that had taken place over the past week and by conveying the Secretary-General's assessment. The representatives of the permanent members of the Security Council then each made a statement in specific support of the Secretary-General's proposals related to Varosha and Nicosia International Airport and called for prompt acceptance of these proposals. Statements were then made by the leaders of the two communities in Cyprus.

Mr. Denktaş repeated his wish to undertake consultations in Cyprus and with the Government of Turkey. On the explicit undertaking by Mr. Denktaş that the purpose of his consultations would be to promote acceptance of the proposals on Varosha and Nicosia International Airport, it was agreed that the joint meetings would resume no later than Monday, 14 June, in order to reach a rapid and clear decision on these two confidence-building measures.

DOCUMENT S/26027

Letter dated 1 July 1993 from the representative of Iraq to the Secretary-General

[Original: Arabic]
[2 July 1993]

On instructions from my Government, I have the honour to transmit herewith a letter dated 25 June 1993 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the decisions taken at its 94th meeting, on 27 May 1993, by the Committee of the Security Council established by resolution 661 (1990).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Nizar HAMDOON
Permanent Representative
of Iraq to the United Nations

LETTER DATED 25 JUNE 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF IRAQ TO THE SECRETARY-GENERAL

I have the honour to inform you, with regard to the unjust decisions persisted in by certain Member States in the Sanctions Committee established by Security Council resolution 661 (1990), that the objectives of those States are to inflict injury and damage on the Iraqi people, contrary to all values and customs and to the principles of the Charter of the United Nations.

The decisions taken by the Sanctions Committee at its 94th meeting, held on 27 May 1993, merit a pause to observe the extent of the injustice, injury and arbitrariness that is being wrought against the people of Iraq by the United States, the United Kingdom, France and Japan, which are trying, on various excuses and pretexts, to prevent the delivery of essential humanitarian items.

From a swift review of the requests that were rejected by the Committee at this meeting, we find the following:

1. Objection by the United States to 20 requests.

2. Objection by the United Kingdom to 9 requests.

3. Objection by France to 7 requests.

4. Objection by Japan to 1 request.

This is in addition to putting numerous other requests on hold or deferring them on various pretexts in order to complicate and prolong the Committee's proceedings and procrastinate in giving approval.

Below are some examples that constitute a blatant pattern of disregard for the Charter of the United Nations and the norms of international law:

1. Refusal to allow the Italian company TEXIM to export a waste water treatment system to equip a pharmaceutical manufacturing complex, because of the objection of the United Kingdom representative on the grounds that it would constitute an input to Iraqi industry.

2. Refusal to allow a Turkish company to export 20,000 tons of Portland cement to Iraqi merchants on the grounds that it would constitute an input to Iraqi industry.

3. Refusal to allow Turkish exporters to export quantities of car paint, polish and spare parts to Iraqi merchants, because of the objection of the French representative on the grounds that it was intended for private cars.

4. Refusal to allow the export of quantities of detergent in powder form to Iraqi merchants, because of the objections of the other representatives, even though the detergent is an end-product and an essential humanitarian item.

5. Refusal to allow Jordanian companies to export sewing equipment and machinery, nylon yarns and soles for shoes to Iraqi merchants, because of the objection of the United States representative on the grounds that they constituted an input to Iraqi industry.

6. Refusal to allow the Indian firm Rajahstan to export quantities of watch parts to Iraqi merchants, because of the objection of the United States representative on the grounds that they were not essential humanitarian items.

Because of the positions of a few States that are tyrannical and overbearing, the Sanctions Committee has become a political instrument for the continuation of the deliberate infliction of injury on the people of Iraq. We appeal to you to intervene to halt these arbitrary actions committed against the people of Iraq in the Sanctions Committee, inasmuch as they are contrary to all humane values and considerations.

I request you to have this letter circulated as a document of the Security Council.

(*Signed*) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

DOCUMENT S/26029

Letter dated 1 July 1993 from the representative of Israel to the Secretary-General

[*Original: English*]
[*2 July 1993*]

I would like to draw your attention to a grave act of terrorism which was perpetrated in Jerusalem today by Palestinian terrorists. Initial investigations have revealed the following:

> Around 7 a.m. local time, Egged bus number 25 pulled in to a bus stop, where several passengers, among them three Palestinians, boarded the bus. A few minutes later, as the bus proceeded along its route at the northern entrance to Jerusalem, at least two of the Palestinians pulled out weapons. The driver then halted the bus, opened the doors and shouted to the passengers to leave the bus immediately. He turned and charged one of the terrorists, who opened fire and hit the driver twice in the legs. The terrorists, who were armed with grenades as well, then began shooting indiscriminately at the passengers on the bus. Several passengers were wounded, including one woman who was severely injured. Also wounded in the gunfire was the third Palestinian, a resident of Gaza and a wanted fugitive, who was struck in the head by a bullet. At this stage, his involvement in the terrorist act which was perpetrated is being investigated.
>
> The terrorists then got off the bus and commandeered a car being driven by a woman, whom they took hostage and held at gunpoint. The terrorists drove the car in the direction of Bethlehem, randomly shooting at innocent passers-by. After driving for some distance, the car approached a checkpoint manned by Israeli security forces and slowed down. The woman who was being held hostage by the terrorists in the car attempted to flee. The terrorists shot her to death on the road after she had jumped from the vehicle. The security forces then opened fire on the terrorists. The car exploded, apparently due to the grenades and other explosives which were in it, and the two terrorists died.

The attack described above is yet another example of the terrorism which continues to target Israel. The terrorists have once again demonstrated that they will stop at nothing. They kill Jews and they kill Arabs, and they are trying to kill the peace process itself, which is their main target.

Israel will continue to combat terrorism. At the same time, despite the provocations and the pain, Israel will continue to do its utmost to make progress towards peace. Our commitment to peace remains unshakeable, and it will not be weakened by acts of terrorism directed against us.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Gad YAACOBI
Permanent representative
of Israel to the United Nations

DOCUMENT S/26030*

Letter dated 1 July 1993 from the representative of Turkey to the Secretary-General

[*Original: English*]
[*2 July 1993*]

I have the honour to transmit herewith the letter of 10 July 1993 addressed to you by Mr. Osman Ertug, representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the present letter could be circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Tahsin BURCUOGLU
Charge d'affaires a.i.
of the Permanent Mission
of Turkey to the United Nations

TEXT OF THE LETTER

I have the honour to bring to your kind attention the following recent instances of Greek Cypriot embargo imposed on the Turkish Cypriot people:

1. A letter, with an attached note, was sent to a company based in England - EMEL (UK) Ltd. - on 10 March 1993 by the Commercial Attache of the Greek Cypriot "High Commission" in London, to the effect that it was illegal to trade with Northern Cyprus and that the said company should rather engage in business with the "legitimate part of Cyprus", meaning the south.

2. A Russian sea captain, Mr. George Alexiyevich, was arrested and fined 1,000 Cyprus pounds by a Greek Cypriot court in Limassol on 21 June 1993, on the grounds that his vessel *Normandia* had called at Famagusta port in the Turkish Republic of Northern Cyprus on previous occasions.

3. On 26 June 1993, two Greek Cypriots - Evgenio Adamu Zenvu and Lazaros Parasgevas - were arrested by the Greek Cypriot police for buying 70 kilos of fish from Turkish Cypriots. These Greek Cypriots are being prosecuted for allegedly engaging in illegal trade.

It is ironic that these ill-intentioned activities of the Greek Cypriot side, which are but the most recent examples of the ongoing Greek Cypriot embargo, come at a time when efforts are being made under Your Excellency's auspices in order to find ways of establishing confidence between the two peoples of Cyprus. I need hardly stress that such harmful policies and practices only serve to deepen the existing mistrust between the two peoples of the island and confirm our misgivings regarding the willingness or even the ability of the Greek Cypriots to coexist with us, side by side, in the context of a negotiated settlement.

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* Circulated under the double symbol A/47/972-S/26030.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly and of the Security Council.

DOCUMENT S/26031

Letter dated 2 July 1993 from the Head of State of Georgia to the President of the Security Council

[*Original: Russian*]
[*2 July 1993*]

Exceptional circumstances force me to address this letter to you.

I send you this report directly from the scene of events.

As a result of unremitting and increasingly intense artillery bombardment of the residential areas of the city of Sukhumi, the number of casualties among the civilian population is spiralling at a catastrophic rate. On 2 July 1993, having yet again violated the cease-fire agreement and disrupted the political settlement process, the separatist clique in Abkhazia commenced a wide-scale offensive along the entire front. The shelling is being carried out by large-calibre mortars, howitzers and Grad rocket launchers, with the use of wide-area shells. The shelling is controlled from the air by Su-25 planes. In the coastal area, controlled by frontier troops of the Russian Federation, assault forces are landing, consisting primarily of citizens of the Russian Federation.

The purpose of these massed actions is to cut Sukhumi off from the rest of Georgia and to blockade the city, before storming it.

In this context, it is unclear what purpose would be served by holding the conference, which was planned earlier in Geneva, on the peaceful settlement of the Abkhaz conflict. It is also difficult to understand why the question of deploying United Nations military observers to the conflict zone is being dragged out.

The situation is so tense and fraught with the danger of the unpredictable escalation of the conflict that I am forced once again to appeal to you to arrange for discussion of this issue at an emergency meeting of the Security Council.

(*Signed*) E. SHEVARDNADZE

DOCUMENT S/26036

Letter dated 2 July 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*4 July 1993*]

I have the honour to forward to you a copy of the statement issued today by the Nagorny Karabakh State Defence Committee.

I should be grateful if you would circulate this as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

On 2 July 1993 at 0600 hours, after bombing raids carried out by low-flying attack aircraft of the Azerbaijani airforce, armed formations of Azerbaijan, supported by tanks and artillery, began large-scale offensives in the Gadrut district of the Nagorny Karabakh Republic. They managed to break through the defences and capture the villages of Zamzur, Dor, Melikhdzhandy and Bulutan. Fighting is taking place on the outskirts of the district centre of Gadrut. The village of Dapravend, in the direction of Mardakert, was also captured.

This latest escalation of Azerbaijani aggression was preceded by war hysteria whipped by the mass media and calls by the leaders of the Azerbaijani Republic to move all forces to the Karabakh front. This deliberate transfer of units to the frontiers of Nagorny Karabakh, and the statement issued by the Ministry of Foreign Affairs of Azerbaijan - a statement unprecedented in its mendacity - are eloquent proof of the intentions of the Azerbaijani authorities.

Yet again, the leaders of Azerbaijan are provoking, with perfect impunity, an escalation of hostilities in order to achieve their political aims and are attempting to frighten the war-weary Azerbaijani people with the spectre of an external enemy, hoping to divert their attention from the internal political crisis.

Once again, the authorities of Azerbaijan are attempting to play the Karabakh card, in defiance of the efforts of the Security Council and the Conference on Security and Cooperation in Europe to achieve a peaceful settlement of the conflict, and the clearly stated readiness of the Nagorny Karabakh Republic for a cease-fire.

In the interests of the security of the population of the Republic, the Government of the Nagorny Karabakh Republic will take all necessary measures to restrain the aggressor.

The leaders of Azerbaijan bear full responsibility for the consequences of the escalation of hostilities in the region.

DOCUMENT S/26037

Letter dated 2 July 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*4 July 1993*]

I have the honour to forward to you a copy of the statement issued today by the Ministry of Foreign Affairs of the Republic of Armenia.

I should be grateful if you would circulate this as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia to the United Nations

TEXT OF THE STATEMENT

The Ministry of Foreign Affairs of the Republic of Armenia is concerned with the instability and uncertainty in Azerbaijan and with the negative impact these have had on processes leading to democracy and peace in the region.

The situation in Baku is fraught with danger as different parties and leaders are willing to use any means, including renewed military operations against Nagorny Karabakh, to achieve political goals.

The Government of Armenia is particularly disturbed by the statements being released by the Ministry of Foreign Affairs of Azerbaijan regarding military activities in and around Nagorny Karabakh. The Ministry of Foreign Affairs of Armenia considers it below its dignity to respond to statements which have little to do with the situation on the ground.

Repeated accusations against the Republic of Armenia by Azerbaijan reflect a loss of a sense of reality and proportion rather than a steady policy and clear direction in that republic. The authorities in Baku - which have imposed censorship on their own newspapers - seem to find it easier to flood the international media with accusations against Armenia rather than deal with the crises of democracy and legitimacy in Azerbaijan.

The Government of Armenia is confident that the international community will see Azerbaijan's propaganda campaign for what it is: a futile attempt motivated by domestic problems aimed at the covering up of continuing Azerbaijani bombardment by heavy artillery and military aviation of the civilian population of Nagorny Karabakh.

However much Armenia, Nagorny Karabakh and the international community may be used to the irrational behaviour and unpredictability in Azerbaijani policies, Armenia must still express its deep concern regarding Azerbaijan's inability and unwillingness to commit itself fully to and sustain the Conference on Security and Cooperation in Europe Minsk Group peace initiative.

Continuing military operations by Azerbaijani forces - whether controlled by Baku or by uncontrolled armed groups - and the accompanying campaign of misinformation can only weaken the confidence of the parties in the initiative and strengthen the position of those in the region who oppose the current process leading to the interruption of hostilities and a peaceful resolution of the conflict.

Under the circumstances Armenia will be unable to resist doubts regarding the seriousness and ability of Azerbaijan to believe in and implement the Minsk Group plan. Armenia, as well as Nagorny Karabakh, are wondering whether they will ever have a partner in peace in Azerbaijan, a partner sufficiently stable, reliable and consistent to sustain a dialogue, a partner that can appreciate the restraint shown during these difficult days for Azerbaijan.

The Government of Armenia hopes that Azerbaijan will be able to resolve its internal problems and, with the international community, focus on the establishment of a durable cease-fire in the region and the peaceful resolution of the problem of Nagorny Karabakh.

DOCUMENT S/26038

Letter dated 2 July 1993 from the representative of Yugoslavia to the Secretary-General

[*Original: English*]
[*4 July 1993*]

I have the honour to transmit herewith the letter dated 2 July 1993 of Mr. Vladislav Jovanovic, Deputy Prime Minister and Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to the Co-Chairmen of the International Conference on the Former Yugoslavia.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission
of Yugoslavia to the United Nations

TEXT OF THE LETTER

I wish, first of all, to express my satisfaction at our recent meeting in Geneva within the International Conference on the Former Yugoslavia and its successful outcome, to which you made a significant contribution.

According to the practice of an open and sincere exchange of views, I take this opportunity to bring to your attention the serious problem we are facing concerning the Working Group on Succession Issues, owing to the renewed activity of the so-called Badinter Commission.

In this connection, I wish to inform you about the decision of the Government of the Federal Republic of Yugoslavia to withdraw its representatives from and to discontinue, on a temporary basis, its participation in the Working Group on Succession Issues of the International Conference on the Former Yugoslavia pending discontinuation of the work of the so-called Badinter Commission for the reasons which we have indicated on several occasions.

The substantiated reasons underlying the decision of the Federal Republic of Yugoslavia not to accept the competence of the so-called Badinter Commission as a body for settlement of disputes through arbitration have been presented in the statement by the Government of the Federal Republic of Yugoslavia, in my letter addressed to you as well as in our direct talks. First of all, it is a fact that the Commission has not been established in compliance with international law. Furthermore, in its opinions Nos. 1 to 10, the Commission has essentially violated the legal norms of international law, in respect of both procedure as well as the implementation of material law. In practice the opinions of the Commission, as an advisory body of the International Conference on the Former Yugoslavia, on the basis of which the Yugoslav participants at the Conference were to adopt relevant decisions by consensus taking also into account the Commission's opinion, were taken as judgements and served as a basis for making concrete decisions on relevant issues concerning the Yugoslav crisis.

Our side has particularly underlined the fact that the Government of the Federal Republic of Yugoslavia considers unjustifiable and unacceptable resort to any court mechanism, prior to substantiated and comprehensive discussion on the principles on the basis of which the property of the Socialist Federal Republic of Yugoslavia should be ceded to successor States.

I would like also to recall that the Government of the Federal Republic of Yugoslavia and its representatives have underlined on several occasions that outstanding and pending questions that may arise in the work of the International Conference on the Former Yugoslavia could be solved, following a substantiated and comprehensive discussion, within a court procedure in accordance with international law.

For all the above reasons, the Government of the Federal Republic of Yugoslavia considers the opinions of the so-called Badinter Commission and the decisions and acts of other subjects based thereupon, null and non-binding for the Federal Republic of Yugoslavia.

Confident that, this time again, you will show understanding, please accept the assurances of my highest consideration.

Statement of 30 April 1993 by the Government of the Federal Republic of Yugoslavia

As stated by the delegation of the Federal Republic of Yugoslavia at the Brussels meeting of the Conference on Yugoslavia and at the

London Conference on Yugoslavia, the Federal Republic of Yugoslavia does not recognize the jurisdiction of the Arbitration Commission, known as the Badinter Commission, in the assets and liabilities division procedure and is not agreed that the Commission issue advisory opinions on the principles on the basis of which succession of States would be effected between the Socialist Federal Republic of Yugoslavia, as the predecessor State, on the one hand, and the secessionist former Yugoslav republics, as successor States, on the other.

The Government of the Federal Republic of Yugoslavia also deems unacceptable that the question of principles relevant for the succession procedure be discussed before any body, prior to substantial discussion of these principles within the Succession Group of the Conference on Yugoslavia.

The Government of the Federal Republic of Yugoslavia wishes to recall that in the sense of international law the Arbitration Commission was not established or composed for arbitration purposes, while in its work within the Conference on Yugoslavia so far it has been seriously in breach of both the law of procedure and the implementation of material law.

The Federal Government reiterates the position of the Federal Republic of Yugoslavia presented at the meeting of the Conference on Yugoslavia in Brussels and at the London Conference that all disputes that may arise *vis-à-vis* the division of assets and liabilities should be referred by agreement either to the Permanent Court of Arbitration in The Hague or to an ad hoc arbitration court.

The Government of the Federal Republic of Yugoslavia considers arbitration proceedings in the settlement of the contentious issues that may arise in the work of the Conference on Yugoslavia as proceedings before a court of law in the sense of general international law and not as proceedings before the Arbitration Commission presided by Mr. Badinter.

We recall in its reply to the letter of Mr. Badinter, President of the Commission, of 3 June 1992, that it considers the opinions of the Commission doctrinary in the sense of Article 38 (*d*) of the Statute of the International Court of Justice, which do not constitute a legal ground for any valid decision. The Federal Republic of Yugoslavia shall consider null and void and non-binding any opinion of the Commission adopted in the procedure to which it has not agreed.

DOCUMENT S/26039*

Application of the Principality of Andorra for admission to membership in the United Nations: Note by the Secretary-General

[*Original: English*]
[*6 July 1993*]

In accordance with rule 135 of the rules of procedure of the General Assembly and rule 59 of the provisional rules of procedure of the Security Council, the Secretary-General has the honour to circulate herewith the application of the Principality of Andorra for admission to membership in the United Nations, contained in a letter dated 9 June 1993 from the Head of Government of the Principality of Andorra to the Secretary-General.

Letter dated 9 June 1993 from the Head of Government of the Principality of Andorra to the Secretary-General

In accordance with the provisions of Article 4 of the Charter of the United Nations, and with those of rule 58 of the provisional rules of procedure of the Security Council and rule 134 of the rules of procedure of the General Assembly, I have the honour, in the name of the Principality of Andorra and in my capacity as Head of Government, to request the admission of the Principality of Andorra as a Member of the United Nations.

Accordingly, I hereby request you kindly to make this request known to the Security Council and to the General Assembly at their next respective meetings.

As stated in the official declaration attached hereto, the Principality of Andorra accepts and is willing to carry out the obligations set out in the Charter of the United Nations.

(*Signed*) Oscar RIBAS REIG

Declaration

In relation to the request for admission of the Principality of Andorra as a Member of the United Nations, I have the honour to declare, in the name of the Principality of Andorra and in my capacity as Head of Government of the Principality, that the Principality of Andorra accepts the obligations set out in the Charter of the United Nations and solemnly undertakes to fulfil them.

(*Signed*) Oscar RIBAS REIG

DOCUMENT S/26040

Letter dated 2 July 1993 from the Acting Chairman of the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia to the President of the Security Council

[*Original: English*]
[*8 July 1993*]

By its resolutions 713 (1991) of 25 September 1991, 724 (1991) of 15 December 1991, 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992 and 820 (1993) of 17 April 1993, the Security Council, acting under Chapter VII of the Charter of the United Nations, imposed an arms embargo against the constituent republics of the former Socialist Federal Republic of Yugoslavia, as well as a comprehensive set of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro). In its resolution 757 (1992), the Council recalled the right of States, under Article 50 of the Charter, to consult the Council where they find themselves confronted with special economic problems arising from the carrying out of preventive or enforcement measures.

At their consultations of the whole, held on 13 April 1993, the members of the Security Council requested the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia to meet on an urgent basis to consider, in the context of Article 50 of the Charter of the United Nations, the communications received from States that found themselves confronted with special economic problems arising from the carrying out of the measures contained in the relevant resolutions of the Council and to submit to the Council a report, with the Committee's recommendations, as soon as possible. Subsequently, the Council, by its resolution 843 (1993) adopted on 18 June 1993, confirmed that the Committee established pursuant to resolution 724 (1991) was entrusted with the task of examining requests for assistance under the provisions of Article 50 of the Charter, welcomed the establishment by the Committee of its Working Group and invited the Committee, upon completion of the examination of each request, to make recommendations to the President of the Security Council for appropriate action.

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* Circulated under the double symbol A/47/973-S/26039.

As of 1 July 1993, six States, namely, Bulgaria [*S/24963*], Hungary [*S/24147*], Romania [*S/24142 and Add.1*], Slovakia [*S/25894*], the former Yugoslav Republic of Macedonia [*S/AC.27/1993/COMM.3396*] and Ukraine [*S/25630*] had requested consultations with the Security Council, in accordance with Article 50 of the Charter. In the same or subsequent communications, those States provided information regarding the special economic problems with which they have been confronted arising from the implementation of the measures contained in the relevant Council resolutions. In addition, Uganda [*S/AC.27/1993/COMM.2530*] submitted a request for assistance in connection with its economic difficulties arising from the interruption of a vital road construction project by a Yugoslav firm, as a consequence of the Government's implementation of the sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro).

At its 65th meeting, held on 30 April 1993, the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia set up an open-ended working group to examine requests for assistance under Article 50 and to advise the Committee on appropriate action. At the same meeting the Committee elected as Chairman of the Working Group, Mr. Shunji Maruyama, Deputy Permanent Representative of Japan to the United Nations, whose delegation also provides one of the Vice-Chairmen of the Committee. Subsequently, at its 4th meeting on 22 June 1993, the Working Group elected as its Vice-Chairman Mr. Sher Afgan Khan, Deputy Permanent Representative of Pakistan to the United Nations. On that basis, the Working Group undertook its deliberations regarding the above-mentioned requests and has held five meetings to date.

At its 73rd meeting, held today, the Committee adopted without objection as recommendations to be made to the President of the Security Council the draft decisions submitted by the Working Group with regard to Bulgaria, Hungary, Romania, Uganda and Ukraine. The recommendations are set out hereunder. The Committee also decided that it would, with the concurrence of an applicant State, transmit, together with the relevant recommendations, the text of the memorandum and any additional explanatory material which the State had provided in the presentation and support of its application.

The recommendations concerning the remainder of the requests, together with the attendant documentation, will be transmitted once approved by the Committee.

(*Signed*) José Eduardo BARBOSA
Acting Chairman
Security Council Committee established
pursuant to resolution 724 (1991)
concerning Yugoslavia

ANNEX I

Recommendation by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia with regard to Bulgaria

The Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia,

Having dealt with the communications received from Bulgaria under Article 50 of the Charter of the United Nations,

Recalling resolutions 713 (1991) of 25 September 1991, 724 (1991) of 15 December 1991, 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992, and 820 (1993) of 17 April 1993, in which the Security Council decided to impose an arms embargo against the territory of the former Socialist Federal Republic of Yugoslavia and a comprehensive set of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), and resolution 843 (1993) of 18 June 1993 in which the Council entrusted the Committee established pursuant to its resolution 724 (1991) with the task of examining requests for assistance under the provisions of Article 50 of the Charter, as well as other relevant resolutions,

Recalling further the provisions of Articles 25, 49 and 50 of the Charter,

Noting the information submitted by Bulgaria [*S/24168, S/24963 and S/25743*] regarding the measures taken to give full effect to the sanctions as laid down in resolutions 757 (1992), 787 (1992) and 820 (1993), and concerning the special economic problems it has been confronted with as a result of the implementation of those measures,

Having heard the representative of Bulgaria,

Expressing concern at the special economic problems confronting Bulgaria as a result of the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by resolutions 757 (1992), 787 (1992) and 820 (1993), which are particularly difficult in terms of commercial and financial losses incurred by Bulgaria,

Recognizing that the continued full implementation of resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993) by Bulgaria, as well as other States, will support the measures to ensure compliance with these and other relevant resolutions,

1. *Commends* the Government of Bulgaria for the measures it has taken to comply with Security Council resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993);

2. *Recognizes* the urgent need to assist Bulgaria in coping with its special economic problems resulting from the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by resolutions 757 (1992), 787 (1992) and 820 (1993), especially commercial and financial losses incurred by Bulgaria;

3. *Appeals* to all States on an urgent basis to provide immediate technical, financial and material assistance to Bulgaria to mitigate the adverse impact on its economy of the application by Bulgaria of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

4. *Invites* the competent organs and specialized agencies of the United Nations system, including the international financial institutions and the regional development banks, to consider how their assistance programmes and facilities might be helpful to Bulgarian, with a view to alleviating its special economic problems arising from the application of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

5. *Requests* the Secretary-General on a regular basis, to seek information from States and the concerned organs and agencies of the United Nations system on action taken to alleviate the special economic problems of Bulgaria and to report thereon to the Security Council.

APPENDIX I

Memorandum dated 10 December 1992 of the Bulgarian Government regarding losses damages and economic difficulties sustained by the Republic of Bulgaria as a result of the implementation of the sanctions imposed by Security Council resolution 757 (1992) of 30 May 1992

[*For the text, see* Supplement for October, November and December 1992, *document S/24963*.]

APPENDIX II

Memorandum dated 6 May 1993 of the Government of Bulgaria regarding the implementation of Security Council resolution 820 (1993)

[*For the text, see* Supplement for April, May and June 1993, *document S/25743*.]

ANNEX II

Recommendation by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia with regard to Hungary

The Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia,

Having dealt with the communications received from Hungary under Article 50 of the Charter of the United Nations,

Recalling resolutions 713 (1991) of 25 September 1991, 724 (1991) of 15 December 1991, 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992, and 820 (1993) of 17 April 1993, in which the Security Council decided to impose an arms embargo against the territory of the former Socialist Federal Republic of Yugoslavia and a comprehensive set of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), and resolution 843 (1993) of 18 June 1993 in which the Council entrusted the Committee established pursuant to is resolution 724 (1991) with the task of examining requests for assistance under the provisions of Article 50 of the Charter, as well as other relevant resolutions.

Recalling further the provisions of Articles 25, 49 and 50 of the Charter,

Noting the information submitted by Hungary [*S/25683*], regarding the measures taken to give full effect to the sanctions as laid down in resolutions 757 (1992), 787 (1992) and 820 (1993), and concerning the special economic problems it has been confronted with as a result of the implementation of those measures.

Having heard the representative of Hungary,

Expressing concern at the special economic problems confronting Hungary as a result of the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by Security Council resolutions 757 (1992), 787 (1992) and 820 (1993), which are particularly difficult in terms of commercial and financial losses incurred by Hungary.

Recognizing that the continued full implementation of resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993) by Hungary, as well as other States, will support the measures to ensure compliance with these and other relevant resolutions.

1. *Commends* the Government of Hungary for the measures it has taken to comply with resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993);

2. *Recognizes* the urgent need to assist Hungary in coping with its special economic problems resulting from the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by resolutions 757 (1992), 787 (1992) and 820 (1993), especially commercial and financial losses incurred by Hungary.

3. *Appeals* to all States on an urgent basis to provide immediate technical, financial and material assistance to Hungary to mitigate the adverse impact on its economy of the application by Hungary of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993).

4. *Invites* the competent organs and specialized agencies of the United Nations system, including the international financial institutions, and the regional development banks, to consider how their assistance programmes and facilities might be helpful to Hungary, with a view to alleviating its special economic problems arising from the application of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

5. *Requests* the Secretary-General, on a regular basis, to seek information from States and the concerned organs and agencies of the United Nations system on action taken to alleviate the special economic problems of Hungary and to report thereon to the Security Council.

APPENDIX I

Letter dated 22 June 1992 from the representative of Hungary addressed to the President of the Security Council

[For the text, see Supplement for April, May and June 1993, *document S/25683.*]

APPENDIX II

Statement by the representative of Hungary to the Working Group (on Article 50) on 29 June 1993

[*Original: French*]

Hungary is pleased to note how quickly the Working Group of the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia began to consider the applications submitted to it. We feel that it is vital for countries facing special economic problems as a result of the implementation of the sanctions to be able to exercise their right under the Charter and to hold consultations with the Security Council on the matter. We hope that the Working Group will be able to accomplish its mandate as soon as possible, to find a solution to these difficulties and to end its work on a positive note.

The sanctions regime against the Federal Republic of Yugoslavia (Serbia and Montenegro) is in a way an even more serious obligation for Hungary because it participated as a member of the Security Council in the adoption of Council resolutions 757 (1992), 787 (1992) and 820 (1993). Although the Hungarian authorities were aware even before the adoption of these resolutions that the proposed sanctions might have a particularly adverse impact on the transition economies of neighbouring countries, Hungary decided to vote in favour of the sanctions regime taking into account the wider political context of the conflict in the former Yugoslavia.

We have already mentioned Hungary's economic difficulties stemming from this sanctions regime. The restrictions on navigation on the Danube are particularly serious. The firms affected find themselves in such dire straits that it is virtually impossible for them to carry out any commercial activities. Since the adoption of resolution 757 (1992) Hungary has incurred losses of US$ 800 million.

This figure breaks down as follows:

- Thus far, losses of trade earnings as a result of the sanctions regime amount to $355 million; the figure for 1992 was of the order of $150 million, while that for the current year is $205 million.

- Bad debts of firms total $80 million, of which $15 million are debts of Serbian enterprises arising from commercial transactions prior to the imposition of sanctions, $23 million debts with respect to losses of transport-transit revenues for natural gas transported from the territory of the former Soviet Union through Hungary, and $40 million debts with respect to transport-transit revenue of the Yugoslav railways which were incurred prior to the imposition of the sanctions.

- Losses of transport and transit revenues including revenue for natural gas are of the order of $110 million.

- The losses incurred as a result of additional transport costs and lost transport revenue amount to $180 million.

- There were other losses of the order of $70 million in addition to those I have just mentioned, particularly ecological damage of $20 million caused by the substantial increase in the transportation of goods by road through the southern and south-eastern borders of Hungary and interest charges on bad debts. The Hungarian railways company alone has had to absorb losses of $35 million, in addition to meeting additional port storage costs, wagon demurrage charges incurred owing to the slow procedures for granting authorization for consignments in transit, interest charges caused by delays in delivery and late collection, additional bank charges and expenditures arising from the introduction of a stricter system of customs and border inspection.

I would like to stress that our calculation of the amount of economic losses that Hungary has incurred and continues to incur, has taken into account only quantifiable and concrete statistical data and that, consequently, indirect significant losses affecting real estate values and capital investments, for example, have not been included in our calculations. The foregoing notwithstanding, I wish to reaffirm once again that the severe impact of the sanctions regime on Hungary does not in any way shake its firm commitment to fulfilling its obligations with regard to the implementation of the relevant Security Council resolutions.

We hope that this Working Group will soon be able to finalize and adopt specific recommendations for each one of the countries that have indicated their desire to consult the Security Council as was done in the case of the sanctions against Iraq. We feel that in dealing with the question of providing assistance to resolve the economic difficulties of a number of countries as a result of their implementation of the sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), it is crucial for the competent international financial institutions to commit themselves to playing a key role. We are sure that, alongside such multilateral efforts, bilateral assistance will also be important.

ANNEX III

Recommendation by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia with regard to Romania

The Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia,

Having dealt with the communications received from Romania under Article 50 of the Charter,

Recalling resolutions 713 (1991) of 25 September 1991, 724 (1991) of 15 December 1991, 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992, and 820 (1993) of 17 April 1993, in which the Security Council decided to impose an arms embargo against the territory of the former Socialist Federal Republic of Yugoslavia and a comprehensive set of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), and resolution 843 (1993) of 18 June 1993 in which the Council entrusted the Committee established pursuant to its resolution 724 (1991) with the task of examining requests for assistance under the provisions of Article 50 of the Charter, as well as other relevant resolutions,

Recalling further the provisions of Articles 25, 49 and 50 of the Charter,

Noting the information submitted by Romania [*S/24142 and Add.1 and S/25207*] regarding the measures taken to give full effect to the sanctions as laid down in resolutions 757 (1992), 787 (1992) and 820 (1993), and concerning the special economic problems it has been confronted with as a result of the implementation of those measures,

Having heard the representative of Romania,

Expressing concern at the special economic problems confronting Romania as a result of the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by resolutions 757 (1992), 787 (1992) and 820 (1993), which are particularly difficult in terms of commercial and financial losses incurred by Romania,

Recognizing that the continued full implementation of resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993) by Romania, as well as other States, will support the measures to ensure compliance with these and other relevant resolutions,

1. *Commends* the Government of Romania for the measures it has taken to comply with Security Council resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993);

2. *Recognizes* the urgent need to assist Romania in coping with its special economic problems resulting from the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required resolutions 757 (1992), 787 (1992) and 820 (1993), especially commercial and financial losses incurred by Romania;

3. *Appeals* to all States on an urgent basis to provide immediate technical, financial and material assistance to Romania to mitigate the adverse impact on its economy of the application by Romania of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

4. *Invites* the competent organs and specialized agencies of the United Nations system, including the international financial institutions, and the regional development banks, to consider how their assistance programmes and facilities might be helpful to Romania, with a view to alleviating its special economic problems arising from the application of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant resolutions 757 (1992), 787 (1992) and 820 (1993);

5. *Requests* the Secretary-General on a regular basis, to seek information from States and the concerned organs and agencies of the United Nations system on action taken to alleviate the special economic problems of Romania and to report thereon to the Security Council.

APPENDIX I

Memorandum dated 20 June 1992 of the Government of Romania on the implementation of Security Council resolution 757 (1992)

[*For the text, see* Supplement for April, May and June 1992, *document S/24142.*]

APPENDIX II

Addendum to the memorandum of the Government of Romania on the implementation of Security Council resolution 757 (1992)

[*For the text, see* Supplement for July, August and September 1992, *document S/24142/Add.1.*]

APPENDIX III

Memorandum of the Government of Romania regarding losses, damages and economic difficulties sustained by Romania as a result of the implementation of Security Council resolutions 757 (1992) and 787 (1992)

[*For the text, see* Supplement for January, February and March 1993, *document S/25207.*]

ANNEX IV

Recommendation by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia with regard to Uganda

The Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia,

Having dealt with the communications received from Uganda under Article 50 of the Charter of the United Nations,

Recalling resolutions 713 (1991) of 25 September 1991, 724 (1991) of 15 December 1991, 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992, and 820 (1993) of 17 April 1993, in which the Security Council decided to impose an arms embargo against the territory of the former Socialist Federal Republic of Yugoslavia and a comprehensive set of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), and Council resolution 843 (1993) of 18 June 1993 in which the Council entrusted the Committee established pursuant to its resolution 724 (1991) with the task of examining requests for assistance under the provisions of Article 50 of the Charter, as well as other relevant resolutions,

Recalling further the provisions of Articles 25, 49 and 50 of the Charter,

Noting the information submitted by Uganda [*S/AC.27/1993/COMM.2530*], regarding the measures taken to give full effect to the sanctions as laid down in resolutions 757 (1992), 787 (1992) and 820 (1993), and concerning the special economic problems it has been confronted with as a result of the implementation of those measures,

Having heard the representative of Uganda,

Expressing concern at the special economic problems confronting Uganda as a result of the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by Security Council resolutions 757 (1992), 787 (1992) and 820 (1993), which are particularly difficult in terms of the interruption of a vital road construction project by a Yugoslav firm,

Recognizing that the continued full implementation of resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993) by Uganda, as well as other States, will support the measures to ensure compliance with these and other relevant resolutions,

1. *Commends* the Government of Uganda for the measures it has taken to comply with Security Council resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993);

2. *Recognizes* the urgent need to assist Uganda in coping with its special economic problems resulting from the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by resolutions 757 (1992), 787 (1992) and 820 (1993), especially in terms of the interruption of a vital road construction project with a Yugoslav firm;

3. *Appeals* to all States on an urgent basis to provide appropriate assistance to Uganda to mitigate the adverse impact on its economy of the application by Uganda of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

4. *Invites* the competent organs and specialized agencies of the United Nations system, including the international financial institutions, and the regional development banks, to consider how their assistance programmes and facilities might be helpful to Uganda, with a view to alleviating its special economic problems arising from the application of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

5. *Requests* the Secretary-General on a regular basis, to seek information from States and the concerned organs and agencies of the United Nations system on action taken to alleviate the special economic problems of Uganda and to report thereon to the Security Council.

APPENDIX

*Letter dated 26 March 1993 from the representative of Uganda addressed to the Chairman of the Security Council Committee established pursuant to resolution 724 (1991) on Yugoslavia**

Well before the imposition of Security Council resolution 757 (1992) on the Federal Republic of Yugoslavia, Energo Project, a Yugoslav construction company, was awarded a Uganda Government contract to construct Mityana-Fort Portal Road in western Uganda. At the time United Nations sanctions were imposed following resolution 757 (1992), the construction work undertaken by Energo Project had been completed halfway at Mubende, where it is now stalled due to non-payment following the imposition of the sanctions.

The situation is adversely affecting Uganda's road network development as the construction has come to a standstill. Equally bad is the worsening condition of the machinery which was imported for that purpose. The machinery has become idle and its maintenance costs are escalating with time.

The Government of the Republic of Uganda, therefore, is seeking the authorization of the Security Council Sanctions Committee for the amount owing to Energo Project to be paid for the portion of the work completed and because of the absolute necessity of the road in the economic rehabilitation of Uganda to also authorise payment for continuation of the construction of the road to enable it to be completed.

Energo Project has expressed the wish to have the amount owed and any subsequent payments in respect of the project to be paid to their accounts either in Switzerland or London, which they could specify.

I should be most grateful if the Sanctions Committee on Yugoslavia could give this request from the government of the Republic of Uganda its most favourable consideration especially taking into account the provisions of Article 50 of the Charter of the United Nations.

ANNEX V

Recommendation by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia with regard to Ukraine

The Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia,

Having dealt with the communications received from Ukraine under Article 50 of the Charter of the United Nations,

Recalling resolutions 713 (1991) of 25 September 1991, 724 (1991) of 15 December 1991, 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992, and 820 (1993) of 17 April 1993, in which the Security Council decided to impose an arms embargo against the territory of the former Socialist Federal Republic of Yugoslavia and a comprehensive set of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), and resolution 843 (1993) of 18 June 1993 in which the Council entrusted the Committee established pursuant to its resolution 724 (1991) with the task of examining requests for assistance under the provisions of Article 50 of the Charter, as well as other relevant resolutions,

Recalling further the provisions of Articles 25, 49 and 50 of the Charter,

Noting the information submitted by Ukraine [*S/25630, S/25636 and S/25682*], regarding the measures taken to give full effect to the sanctions as laid down in resolutions 757 (1992), 787 (1992) and 820 (1993), and concerning the special economic problems it has been confronted with as a result of the implementation of those measures,

Having heard the representative of Ukraine,

Expressing concern at the special economic problems confronting Ukraine as a result of the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by resolutions 757 (1992), 787 (1992) and 820 (1993), which are particularly difficult in terms of commercial and financial losses incurred by Ukraine,

Recognizing that the continued full implementation of resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993) by Ukraine, as well as other States, will support the measures to ensure compliance with these and other relevant resolutions,

1. *Commends* the Government of Ukraine for the measures it has taken to comply with Security Council resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993);

2. *Recognizes* the urgent need to assist Ukraine in coping with its special economic problems resulting from the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by resolutions 757 (1992), 787 (1992) and 820 (1993), especially commercial and financial losses incurred by Ukraine;

3. *Appeals* to all States on an urgent basis to provide immediate technical, financial and material assistance to Ukraine to mitigate the adverse impact on its economy of the application by Ukraine of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

4. *Invites* the competent organs and specialized agencies of the United Nations system, including the international financial institutions, and the regional development banks, to consider how their assistance programmes and facilities might be helpful to Ukraine, with a view to alleviating its special economic problems arising from the application of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

5. *Requests* the Secretary-General on a regular basis, to seek information from States and the concerned organs and agencies of the United Nations system on action taken to alleviate the special economic problems of Ukraine and to report thereon to the Security Council.

APPENDIX I

Letter dated 17 April 1993 from the Minister for Foreign Affairs of Ukraine addressed to the President of the Security Council

[*For the text, see* Supplement for April, May and June 1993, *document S/25630.*]

APPENDIX II

Letter dated 19 April 1993 from the representative of Ukraine addressed to the Secretary-General

[*Ibid., document S/25636.*]

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* S/AC.27/1993-COMM.2530

APPENDIX III

Letter dated 28 April from the representative of Ukraine addressed to the President of the Security Council

[*Ibid.*, *document S/25682*.]

DOCUMENT S/26040/ADD.1

Letter dated 4 August 1993 from the Chairman of the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia to the President of the Security Council

[*Original: English*]
[*10 August 1993*]

I have the honour to refer to the letter dated 2 July 1993 [*S/26040*], by which the Acting Chairman of the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia transmitted to the President of the Security Council the recommendations adopted by the Committee in response to requests by five States for assistance under the provisions of Article 50 of the Charter of the United Nations.

At its 81st meeting, on 4 August 1993, the Committee adopted without objection a further recommendation to you, in your capacity as President of the Security Council, in the form of a draft decision submitted by the Committee's Working Group with regard to the application by Albania. The recommendation is set out in the annex. The Committee also decided that it would, with the concurrence of the applicant State, transmit, together with the relevant recommendation, the text of the memorandum and any additional explanatory material which the State had provided in the presentation and support of its application.

The present recommendation brings to six the number of States, out of eight that have so far applied, upon which recommendations have been made by the Committee. The recommendations concerning the remaining two requests, together with the attendant documentation, will be transmitted once approved by the Committee.

(*Signed*) Ronaldo Mota SARDENBERG
Chairman of the
Security Council Committee established
pursuant to resolution 724 (1991)
concerning Yugoslavia

ANNEX

Recommendation by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia with regard to Albania

The Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia,

Having dealt with the communication received from Albania under Article 50 of the Charter of the United Nations,

Recalling resolutions 713 (1991) of 25 September 1991, 724 (1991) of 15 December 1991, 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992, and 820 (1993) of 17 April 1993, in which the Security Council decided to impose an arms embargo against the territory of the former Socialist Federal Republic of Yugoslavia and a comprehensive set of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), and Security Council resolution 843 (1993) of 18 June 1993 in which the Council entrusted the Committee established pursuant to its resolution 724 (1991) with the task of examining requests for assistance under the provisions of Article 50 of the Charter, as well as other relevant resolutions,

Recalling further the provisions of Articles 25, 49 and 50 of the Charter,

Noting the information submitted by Albania [*S/AC.27/1993/COMM.5024*] regarding the measures taken to give full effect to the sanctions as laid down in resolutions 757 (1992), 787 (1992) and 820 (1993), and concerning the special economic problems it has been confronted with as a result of the implementation of those measures,

Having heard the representative of Albania,

Expressing concern at the special economic problems confronting Albania as a result of the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by Security Council resolutions 757 (1992), 787 (1992) and 820 (1993), which are particularly difficult in terms of commercial and financial losses incurred by Albania,

Recognizing that the continued full implementation of resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993) by Albania, as well as other States, will support the measures to ensure compliance with these and other relevant resolutions,

1. *Commends* the Government of Albania for the measures it has taken to comply with Security Council resolutions 713 (1991), 724 (1991), 757 (1992), 787 (1992) and 820 (1993);

2. *Recognizes* the urgent need to assist Albania in coping with its special economic problems resulting from the severance of its economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), as required by resolutions 757 (1992), 787 (1992) and 820 (1993), especially commercial and financial losses incurred by Albania;

3. *Appeals* to all States on an urgent basis to provide immediate technical, financial and material assistance to Albania to mitigate the adverse impact on its economy of the application by Albania of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

4. *Invites* the competent organs and specialized agencies of the United Nations system, including the international financial institutions, and the regional development banks, to consider how their assistance programmes and facilities might be helpful to Albania, with a view to alleviating its special economic problems arising from the application of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to resolutions 757 (1992), 787 (1992) and 820 (1993);

5. *Requests* the Secretary-General on a regular basis, to seek information from States and the concerned organs and agencies of the United Nations system on action taken to alleviate the special economic problems of Albania and to report thereon to the Security Council.

APPENDIX

Letter dated 7 July 1993 from the representative of Albania to the Chairman of the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia[*]

I have the honour to transmit herewith the memorandum of the Government of the Republic of Albania on the losses to the Albanian economy associated with implementation of United Nations sanctions towards Yugoslavia (Serbia and Montenegro) as well as the war in Bosnia.

I strongly believe that the Committee you chair will seriously consider the difficulties the Albanian economy is facing and take appropriate measures in accordance with the resolution 843 (1993) and other relevant resolutions in order to make possible to the Republic of Albania the enjoyment of the right provided for in Article 50 of the Charter of the United Nations.

ENCLOSURE I

Memorandum dated 25 June 1993 from the Government of Albania on the losses to the Albanian economy associated with implementation of United Nations sanctions towards Yugoslavia, as well as the war in

The Government of the Republic of Albania fully supports Security Council resolutions 757 (1992), 787 (1992) and 820 (1993). Albania, as a neighbouring State to Yugoslavia, plays a key role in international compliance with these resolutions. The Government is committed to accept its obligations under these resolutions and will enforce strictly the embargo against Yugoslavia, as it has in the past.

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[*] S/AC.27/1993/COMM.5024.

The Government makes this commitment despite the direct losses to the Albanian economy caused by the embargo (see enclosure 2). The former Yugoslavia was traditionally one of Albania's principal trading partners. Enforcement of sanctions has not only cut off one of Albania's key export markets but has also destroyed or disrupted important supply channels for essential imports to the Albanian economy. This has imposed severe hardship within Albania, in terms of a precipitous decline in production, increased unemployment, and inflation. Moreover, international transportation routes have necessarily been altered, raising the costs of imports from non-Yugoslav suppliers and undermining our country's competitive position in Albania's traditional export markets outside the region.

In addition to the direct losses resulting from enforcement of Security Council resolutions, the Albanian economy has suffered indirect losses arising from a reduction in economic activity caused by the embargo and the war in Bosnia (see enclosure 3). In 1992, the Government of Albania embarked upon a radical economic programme aimed at stabilizing the economy and bringing about deep structural reforms. This programme involved a wholesale revision of relative prices, the near-total liberalization of international trade, a major transfer of economic activity from the State to the private sector, as well as the establishment of a legal framework needed for a market economy to operate. While the initial results of this programme are favourable, the capacity of the economy to respond to the new market-oriented incentives has been hampered by the sanctions and the instability created by the war in Bosnia. Thus, Albania's economic depression has been worse, and the pace of the economic recovery has been slower, as a consequence of international factors beyond its control.

The Government strongly endorses the recommendation of the Working Group of the Security Council Committee established by resolution 724 (1991). In particular, the Government:

- Requests the Secretary-General of the United Nations to hold consultations with the Managing Director of the International Monetary Fund and the President of the World Bank to discuss the possibilities of establishing a special facility to be financed jointly by the Fund, World Bank and the United Nations Development Programme to assist States invoking Article 50 of the Charter of the United Nations in coping with their special economic problems.

- Requests the Secretary-General to study the possibilities of establishing a special contingency fund within the existing United Nations budget to provide emergency assistance to the States most affected by trade and economic sanctions imposed against other States.

- Requests the Economic and Social Council to render assistance to Member States suffering serious economic losses due to strict observance of trade and economic sanctions.

- Requests the specialized agencies of the United Nations system to adopt measures to alleviate the economic hardships of States resulting from the application of trade and economic sanctions including, *inter alia*, the establishment of special funds within their budgets to this end.

- Requests the most developed Member States to pay special attention to the needs of other Member States which are sustaining heavy economic losses due to their application of trade and economic sanctions.

Given the estimated direct and indirect losses to the Albanian economy of between $300-400 million, the Government considers the Republic of Albania to be in need of extraordinary assistance.

ENCLOSURE 2

Direct losses to the Albanian economy

1. *Loss of exports*

a) Yugoslavia was the single largest market for Albania's exports, accounting for approximately 15 per cent of the total FOB value of $320 million exported per year on average during the 1980s (pricing exports at the fixed exchange rates then prevailing, including rouble-denominated trade). It was also one of the largest markets for Albania's principal exports, such as electricity, minerals, agricultural products, and light manufactures. These exports were worth approximately $48 million/year. Subtracting from this amount the FOB value of goods still exported to Croatia, Slovenia, Macedonia and Bosnia ($1 million in 1992), *the total loss of exports to Yugoslavia can be estimated at $47 million per year.*

b) The embargo has not only affected Albania's exports to now-independent republics of the former Yugoslavia, but also to many other traditional non-Yugoslav markets. Now that these goods cannot be shipped through Yugoslav territory, the higher costs resulting from alternative transportation routes (if available at all) have rendered a significant proportion of Albania's exports no longer competitive. For example, during the 1980s, approximately 61 per cent of Albania's exports were purchased by countries of the CMEA, Germany, France and Austria, representing an FOB value of $195.2 million (again, pricing exports at the fixed exchange rates then prevailing, including Ruble-denominated trade). Much of these goods were transported over land through Yugoslavia. In 1992, the FOB value of exports to these countries was approximately $50 million. Subtracting the value of exports to both Bulgaria and Romania which were not appreciably affected by the embargo (18 per cent of the total FOB value on average during the 1980s), and assuming transport difficulties and higher costs account for 10 per cent of the decline of exports from normal levels, *the total export losses to non-Yugoslav markets resulting from the embargo can be estimated at $10.2 million/year.*

2. *Loss of imports and domestic production*

a) Yugoslavia was traditionally a principal supplier (first or second rank) of Albania's imports, accounting for on average approximately 11 per cent of the total CIF value imported during the 1980s, or approximately $35 million per year. In 1992, the total CIF value of goods imported from the republics of the former Yugoslavia was $800,000, virtually all from Croatia, Slovenia, Macedonia and Bosnia. Discounting this latter amount, and assuming the cost of goods imported from alternative suppliers is 10 per cent higher than from traditional suppliers in Yugoslavia, *the total loss from higher import costs can be estimated at $3.4 million/year.*

b) Of more profound impact are the losses associated with cancelled import supply contracts which have affected domestic production (excluding production that is exported) in Albania. For example, taking into account only the impact on State enterprises in some key sectors, the losses for 1992 are estimated as follows: agriculture and food industry, $10 million; construction, $3.8 million; petroleum, $1.1 million; and tourism, $600,000. Taken together, the Ministry of Trade estimates that *the total losses to domestic production associated with the disruption of import supplies from Yugoslavia is $20 million/year.*

3. *Higher transportation costs*

As a result of the embargo, transportation costs associated with foreign trade have risen because importers and exporters are no longer able to transship commodities through Yugoslavia, which is the most direct route to Albania's principal trading partners. The Ministry of Transportation and Communications estimates that *the higher costs incurred in 1992 as a result of the need to use alternative transportation routes were $1.7 million.*

Total direct annual losses (summary):

1. Exports	
a) Yugoslavia	$47.0 million
b) Non-Yugoslav	$10.2 million
Total	$57.2 million
2. Higher import costs and lost domestic production	
a) Higher import costs	$ 3.4 million
b) Lost production	$20.0 million
Total	**$23.4 million**
3. Higher transportation costs	$2 million
Grand total	**$82.6 million**

ENCLOSURE 3

Indirect Losses to the Albanian economy

1. *Forgone foreign investment*

The embargo and the war in Bosnia have cast a shadow over Albania in the eyes of foreign investors. While the Albanian economy is now almost entirely open to foreign investors, and hundreds of investment plans have been made during the past two years, many projects, including some of the largest, have been postponed or even cancelled as a result of the perception that instability in the Balkans could spill over into Albania. While the Government, as well as most prospective foreign investors, consider Albania to be a stable and suitable place for foreign investment, the efforts of many investors to raise finance for their projects have been hampered by such concerns in international capital markets. As a consequence, direct foreign investment in Albania in 1992 was only $20 million, versus some $100 million projected by international financial institutions before the embargo was imposed.

It is impossible to estimate accurately what investment projects would have occurred in the absence of the embargo and war. However, it is clear to the Government that the conflict was directly responsible for delays in several large projects in Albania, including:

- An expansion of Albania's international airport, valued at $85 million;
- Three major hotel/office complex projects in Tirana valued at $130 million;
- A $20 million investment in a soft drinks bottling facility;
- A slow-down in offshore petroleum exploration activity.

The Government estimates that delays in these foreign investments and other smaller, but more numerous projects have cost Albania $120 million in lost economic activity in 1992.

2. *Losses due to dynamic effects*

The economic losses described and estimated above are "static" in nature. In fact, all economies are dynamic. For example, workers who lose their jobs due to an external shock, such as those in Albania, suffer a decline in income which, in turn, reduces aggregate demand and output. Various methodologies can be used to estimate such dynamic effects but none yield unambiguous results, especially in Albania's case, where accurate data are in short supply and the economy is changing rapidly due to endogenous factors. Nevertheless, such effects are real, albeit difficult to measure.

Given that the decline in exports represents the single largest direct economic loss attributable to the embargo, a focus on this variable probably best captures the losses to GDP due to dynamic effects. During the period 1980-91, exports (at current prices) in both convertible and non-convertible currencies represented on average approximately 17 per cent of GDP. Moreover, a 1 per cent change in this ratio is correlated with a 2.5 per cent change in GDP (in constant prices). Assuming this ratio (1:2.5) to be a norm for Albania, one can estimate by this means that the loss of $57.2 million in exports to Yugoslavia and non-Yugoslav markets in 1992 cost the Albanian economy $143 million. Subtracting the direct loss of $57.2 million (which is already counted under "direct losses"), the net loss to the economy due to dynamic effects in 1992 was $85.8 million. Allowing for dynamic effects resulting from other direct economic losses, such as higher import costs, lost production from import shortages, and higher transportation costs, *the total net losses to the economy due to dynamic effects was probably $100-110 million in 1992*. If the dynamic effects of forgone foreign investment were to be taken into account, the losses to the Albanian economy would be still higher.

DOCUMENT S/26041

Note verbale dated 1 July 1993 from the mission of Bulgaria to the President of the Security Council

[*Original: English*]
[*6 July 1993*]

The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the President of the Security Council and has the honour to transmit the following text of a note verbale dated 30 June 1993, from the Council of Ministers of the Republic of Bulgaria addressed to the President of the Security Council.

"The Government of the Republic of Bulgaria presents its compliments to the President of the Security Council and has the honour to declare the following:

"The Republic of Bulgaria strictly implements the Security Ccouncil resolutions with regard to the Federal Republic of Yugoslavia (Serbia and Montenegro). It has declared its readiness to continue to abide in good faith by the obligations under those resolutions.

"At the same time the Government of the Republic of Bulgaria would like once again to draw the attention of the Security Council to the fact that the strict implementation of the trade and economic sanctions introduced by the above-mentioned resolutions is incurring great losses to the national economy of Bulgaria. All this was pointed out in its Memorandum of 7 May 1993 and its Memorandum of 17 May 1993.

"The restrictive transshipment regime through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) established by the respective resolutions has considerably disrupted the traditional trade and economic links of Bulgaria with the countries of Central and Western Europe. Their markets are of vital importance for the development of the process of economic reforms since over 60 per cent of the Bulgarian exports to Europe is effected through the area under sanctions. One should also bear in mind that as a traditionally big international road transporter Bulgaria sustains significant losses due to the abrupt shrinkage in the total transit road transport through the area.

"We are especially concerned by the almost complete termination of transshipment operations through the territory of the Federal Republic of Yugoslavia, given that there is only one bridge on the Danube along the Bulgarian sector through which all road traffic to Central and Western Europe has to be channelled and that this bridge, even under normal circumstances, is overloaded and in bad technical condition. The provisions of resolution 820 (1993) seriously affect the normal usage of the Danube which is the only river navigation route connecting our country with the rest of Europe.

"The use of roundabout routes with very heavy traffic even under normal conditions raises the cost of Bulgarian exports and has an extremely negative impact on their realization. All this leads to the speeding up of the process of inflation, aggravates the financial situation in the country and the future possibilities for servicing the foreign debt, brings about serious social consequences within the country. We are faced with a number of dangerous strikes of the private road transporters which are threatening to block the road transport and even the passenger transport in some towns of the country.

"In view of the above circumstances, the Government of the Republic of Bulgaria has called urgently upon the Security Council to consider, as a matter of priority, the possibilities for adopting the necessary steps to ease the transshipment regime through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) including the Danube, while at the same time the strict implementation of the prohibitions and restrictions with regard to the import and export of goods and products to and from its territory is guaranteed by respective control measures. Most regretfully, it has to be stated that Bulgaria has not received as yet a satisfactory answer from the United Nations and the other respective international institutions with regard to its well-grounded and rightful demands.

"More precisely, the Government of Bulgaria has in mind the following specific proposals:

"1. Establishment of a road transshipment corridor through the Federal Republic of Yugoslavia: Kalotina, Nis, Belgrade, Novy Sad, Subotitsa and Szeged.

"The transshipments through the corridor should be regarded as a measure of an exceptional nature pursuant to paragraph 22 (*c*) of resolution 820 (1993), the permission for them to be given by the United Nations Sanctions Committee under the expedited no-objection procedure. The transshipments along the Serbian section of the road could be carried out under effective measures for monitoring and control agreed upon with the Sanctions Committee and the respective Sanctions Assistance Missions. In addition to the monitoring and control procedures applied at the moment pursuant to the Revised Consolidated Guidelines of the Committee [*S/AC.27/1993/CRP.3/Rev.2 of 26 April 1993*] a number of options for reinforced control and verification could be considered, among which the following:

" - The formed convoys to be escorted along the whole Serbian section of the route by an appropriate number of international observers;

" - Use of appropriate electronic devices for verification that the vehicles or the cargo are not diverted or unloaded on Serbian territory.

"2. Measures for facilitating transshipment on the Danube.

"We suggest that a simplified and accelerated notification procedure for transshipment on the Danube be introduced. For this purpose such traffic could be organized through the formation of convoys of vessels subject to effective monitoring and control while passing along the Serbian sector between Vidin/Calafat and Mohacs, including international observers on board, electronic devices, etc. The application of such measures would eliminate the possibility for diverting shipments to the Federal Republic of Yugosdlavia in violation of the sanctions.

"The Bulgarian Government is willing to participate in the discussions of the practical modalities of the implementation of the above-mentioned proposals and to cooperate fully with the Security Council and the Sanctions Committee.

"The Bulgarian Government insists once again that the above-mentioned proposals and any other possible solutions for alleviation of the deteriorating economic situation in the country which will lead to dangerous social protests be urgently considered. One has to bear in mind that at the cost of significant losses and privations Bulgaria is observing and will continue to observe in the future the embargo despite its non-observance along other borders of the Federal Republic of Yugoslavia. The threat to the social peace in the country is increasing due to the expected mass dismissal of employees and the bankruptcy of many companies, due to the already started mass protests and strikes of transport companies and the existence of strong public pressure on the Government to solve the problems resulting from the implementation of the sanctions.

"Stating its readiness to continue the strict observance of the United Nations sanctions, the Government of the Republic of Bulgaria is expecting a definite positive answer to all the questions raised."

DOCUMENT S/26042

Letter dated 2 July 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*6 July 1993*]

On 2 July 1993 at 1300 hours New York time, I received an urgent report from Gorazde, which tells of a new offensive that the Serbian aggressor has launched at the city with the aim of finally destroying it and its inhabitants. For the past two days Gorazde has been exposed to heavy shelling combined with infantry attacks against the villages surrounding it. The whole city is in flames. The population is in dire need of humanitarian aid and, as of today, the expected convoy of the Office of the United Nations High Commissioner for Refugees has been prevented from entering the city by the Serbian forces. The situation is extremely urgent and we request that evacuation by means of helicopter start immediately.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

DOCUMENT S/26044

Letter dated 6 July 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*6 July 1993*]

I have the honour to forward to you a copy of the statement issued by the President of the Presidium of the Parliament of Nagorny Karabakh regarding recent developments in the region.

I should be grateful if you would circulate this as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

Mass media sources of Azerbaijan have been releasing reports according to which Agdam has been occupied.

I am in a position to declare with the full responsibility of my office that the self-defence Army of the Republic of Nagorny Karabakh has not entered Agdam and has no intention to do so.

The uproar in Azerbaijan is aimed at achieving propaganda purposes. The leadership of that Republic is, one more time, attempting to overcome a domestic political crisis by intensifying operations on the Karabakh front.

The following is what, in fact, has occurred. On the morning of 4 July, units of the Azerbaijani army, supported by military aircraft and artillery, initiated a large-scale offensive along the full eastern front of the Republic of Nagorny Karabakh. The city of Stepanakert itself was hit by five missiles. The self-defence Army of the Republic of Nagorny Karabakh, exercising its right to self-defence, was able to stop the offensive and force the enemy to retreat.

We reconfirm our readiness to engage in direct negotiations with the leadership of Azerbaijan for the purpose of achieving a cease-fire.

DOCUMENT S/26045*

Letter dated 6 July 1993 from the observer of Palestine to the Secretary-General

[*Original: English*]
[*6 July 1993*]

Last week a report issued by Middle East Watch, a human rights group based in the United States, attested that Israeli soldiers operating in undercover units in the occupied West Bank and Gaza Strip are in fact given "a license to kill" by their superiors in the army. It has been frequently reported by Palestinians and by human rights groups monitoring the situation in the occupied Palestinian territory, including Jerusalem, that soldiers often gun down Palestinians even when their own lives are not threatened. The extensive findings of the group affirm that Israel is pursuing a policy of summary executions of Palestinians through such undercover operations.

This report and many other accounts reveal that Israeli soldiers have intentionally shot and killed many Palestinians who could have been taken alive. According to the Middle East Watch report, undercover squads have killed more than 120 Palestinians since the start of the *intifadah* (approximately half of those victims have been killed since January 1992). The shootings are usually undertaken by ambushing the victim without warning and with excessive force. As the report states that in many cases the victims posed little or no grave danger to others, were given no opportunity to surrender and could in all possibility have been captured alive. For example, of 20 deaths between March 1992 and February 1993, the study found that only six of the Palestinians were actually wanted fugitives. Furthermore, only two of the six were armed when killed. The others, it is stated, were suspected stone-throwers and masked youths who had been setting up roadblocks or scrawling anti-Israel graffiti, which were merely actions expressing their resistance to the occupation.

This policy and the relaxation of open fire regulations and restrictions have resulted in an intensified use of lethal force and of methods of repression against Palestinian civilians living under occupation. Consequently, an already appalling situation has declined to an even more dangerous and desperate level, and will only continue to worsen if it remains neglected.

On several previous occasions, on 1 and 24 April 1992, and 22 March 1993, we have called your attention to the abhorrent Israeli practice of using undercover army units to carry out summary executions of Palestinian civilians in the occupied Palestinian territory, including Jerusalem. We have also made mention of several other reports that have been published on this pattern of intentional killing. At this time, we reiterate our call for the Security Council to take the necessary measures to put an end to such criminal actions and to provide international protection for the Palestinian people, in accordance with resolution 681 (1990) and as expressed by you in your report to the Council dated 25 January 1993 [*S/25149*].

I would be grateful if you would arrange to have the text of the present letter distributed as an official document of the General Assembly and of the Security Council.

(*Signed*) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

DOCUMENT S/26046**

Letter dated 6 July 1993 from the representative of Belgium to the Secretary-General

[*Original: English/French*]
[*6 July 1993*]

I have the honour to transmit to you herewith the statement on Haiti issued by the European Community and its member States on 6 July 1993.

I should be grateful if you would have the text circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Paul NOTERDAEME
Permanent Representative of Belgium
to the United Nations

TEXT OF THE STATEMENT

The European Community and its member States welcome the agreement that was reached in New York on 3 July 1993 between President Aristide and the Commander-in-Chief of the Haitian Army, which paves the way for the restoration of constitutional order and the return of President Aristide to Haiti.

They congratulate both the United Nations and the Organization of American States on the success represented by this agreement, and also Mr. Dante Caputo, the Special Representative of the Secretaries-General of these two organizations.

The European Community and its member States express their full support for this agreement. They urge all Haitian parties concerned to ensure that it is fully respected and implemented, so that a return to constitutional order takes place peacefully which would make it possible to lay the foundations for lasting national reconciliation.

The European Community and its member States reaffirm their desire to resume relations of cooperation with Haiti after the lifting of sanctions imposed by the Security Council.

DOCUMENT S/26047***

Letter dated 6 July 1993 from the representative of Turkey to the Secretary-General

[*6 July 1993*]
[*Original: English*]

I have the honour to enclose the text of a statement dated 2 July 1993 of the Ministry for Foreign Affairs of the Republic of Turkey regarding the situation in Bosnia and Herzegovina.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 42 of the preliminary list, and of the Security Council.

(*Signed*) Tahsin BURCUOĞLU
Chargé d'affaires a.i.
of the Permanent Mission
of Turkey to the United Nations

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* Circulated under the double symbol A/48/253-S/26045.

** Circulated under the double symbol A/47/974-S/26046.

*** Circulated under the double symbol A/48/254-S/26047.

TEXT OF THE STATEMENT

The latest reports from Bosnia and Herzegovina indicate that the military attacks and the practice of "ethnic cleansing" against the Muslims in that country have reached extremely alarming proportions.

It is clear that the attacks are aimed at forcing the Bosnian Muslims to accept the so-called new peace plan designed to divide Bosnia and Herzegovina into three parts on an ethnic basis.

A Member State of the United Nations and of the Conference on Security and Cooperation in Europe is being obliterated from history through the massacres taking place before our very eyes.

Those who are turning a blind eye to the genocide and those encouraging the aggressor will carry the moral burden before history and humanity.

For years to come, the Balkans, Europe and the whole world will have to bear the bitter results of the mistakes and crimes committed.

Never in history has peace prevailed where injustice, "ethnic cleansing" and racism were rewarded.

Turkey is strongly opposed to the disintegration of Bosnia and Herzegovina, which would bring along the demise of international legitimacy and the basic principles of humanity.

If Bosnia and Herzegovina disintegrates, Europe will not be the same Europe, nor will the United Nations remain the same United Nations, for they shall no longer maintain any credibility.

DOCUMENT S/26051

Report of the Committee on the Admission of New Members concerning the application of the Principality of Andorra for admission to membership in the United Nations

[*Original: English*]
[*8 July 1993*]

1. At the 3250th meeting on 7 July 1993, the Security Council had before it the application of the Principality of Andorra [*S/26039*] for admission to membership in the United Nations. In accordance with rule 59 of the provisional rules of procedure of the Security Council and in the absence of a proposal to the contrary, the President of the Council referred the application to the Committee on the Admission of New Members for examination and report.

2. At its 96th meeting on 8 July 1993, the Committee considered the application of the Principality of Andorra and unanimously decided to recommend to the Security Council that the Principality of Andorra should be admitted to membership in the United Nations.

3. The Committee further decided to recommend to the Security Council that it should have recourse to the provision of the last paragraph of rule 60 of its provisional rules of procedure.

4. Accordingly, the Committee recommends to the Security Council the adoption of the following draft resolution:

"*The Security Council*,

"*Having examined* the application of the Principality of Andorra for admission to the United Nations [*S/26039*],

"*Recommends* to the General Assembly that the Principality of Andorra be admitted to membership in the United Nations."

DOCUMENT S/26052

Letter dated 7 July 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*8 July 1993*]

I refer to my letter of 2 April 1993 [*S/25516*], by which I informed the Security Council about recent developments in the implementation of the provisions of the peace accords for El Salvador relating to the purification of the Armed Forces [*S/23501 of 30 January 1992, annex, chap. I, sect. 3*].

In that letter, I informed the Security Council that President Cristiani had agreed to a plan under which, at the latest by 30 June 1993, the last 15 high-ranking officers whose situation had not yet been regularized would be placed on leave with pay pending completion of the procedures for their retirement, which would take place not later than 31 December 1993. Under the plan, it was also agreed that, while on leave with pay, these 15 officers would not perform any official functions.

In my letter, I also stated that, when implemented, the above-mentioned arrangement would bring the Government of El Salvador into broad compliance with the Ad Hoc Commission's recommendations, although with a delay of several months in relation to the date established by the accords.

Following publication of the General Order of 30 June 1993 by the High Command of the Armed Forces of El Salvador, the United Nations Observer Mission in El Salvador has verified that the 15 officers have been placed on leave with pay, as envisaged in the plan presented by President Cristiani. I am therefore in a position to confirm that the Government of El Salvador has now taken the steps that it promised to comply with the Ad Hoc Commission's recommendations.

I would be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26057

Letter dated 7 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*8 July 1993*]

I have the honour to transmit to you the text of a statement of 2 July 1993 made by the Acting President of the Azerbaijani Republic and Chairman of the Supreme Soviet of the Azerbaijani Republic, Mr. Heydar Aliyev, on the situation in the country and ongoing Armenian aggression against Azerbaijan.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

On 24 June 1993, the powers of the President of the Azerbaijani Republic were handed over to the Chairman of the Supreme Soviet of the Azerbaijani Republic by the decision of Milli Mejlis of the Azerbaijani Republic.

On behalf of the Azerbaijani Republic, I declare that there will be no changes in the internal and foreign policy of Azerbaijan. I state that Azerbaijan will continue to pursue the path of democracy, political pluralism and free economy. The Azerbaijani State will abide by human rights and all rules of international law, and the democratic reforms initiated in our republic will be stepped up and accelerated henceforth. The economic cooperation with foreign countries launched on the basis of equality and mutual benefit will continue, and obligations undertaken with regard to agreements, envisaged to be signed with some foreign companies, will be met in the framework of civilized standards. As the internal political situation in our country becomes more stable, it will be possible to deal with these matters more closely.

Following measures taken recently, the threat of civil war that would have been very dangerous for our people was eliminated, and internal political tensions decreased to some extent. However, the war waged by Armenia against the Azerbaijani Republic and military attacks launched lately against frontier districts in particular, affect the international political climate considerably.

Armenia took advantage of the crisis of the State system within the Republic, which brought about the disunity of the Azerbaijani Armed Forces, and of the lack of proper control over these matters by the Azerbaijani State bodies, and carried out new attacks on Azerbaijani territories.

Since 12 June, the Armenian military forces carried out attacks in the direction of Agdam and Aghdara, and captured the district centre of Aghdara and a number of villages. The Gadabay district that is outside the Karabakh area has been subjected to intensive military attacks, as well. As a result of the defence measures taken, these attacks have been repelled, and two or three days ago the shooting was reduced to some extent. However, on 1 July, the Armenian military forces made a heavy attack against another area of Azerbaijan - the Fizuli and Djebrail districts. A number of our villages were captured, some of them were brutally set on fire, and there are casualties among civilians. Following the latest attacks, thousands more of our fellow countrymen, dispossessed of their property, were added to more than 500,000 refugees in Azerbaijan. Whereas the initiative of the United States, Russia and Turkey for a peaceful settlement of the conflict and Security Council resolution 822 (1993) have emerged and certain hopes to put an end to this bloody conflict have appeared, the acts of aggression by Armenia caused the sharp deterioration of the situation. I believe that the international community and all nations should resolutely condemn these acts of aggression. On behalf of Azerbaijan, I would like to reiterate that we support all efforts and decisions made within the Conference on Security and Cooperation in Europe (CSCE) framework on the initiative of the United States, Russia and Turkey. The Azerbaijani Republic welcomes peacemaking efforts made under the leadership of the Chairman of the CSCE Minsk Group, Mr. M. Raffaelli, guarantees to create all conditions necessary to implement these efforts and hopes that the visit of Mr. Raffaelli to the area on 5 July will give impetus to the implementation of the initiative advanced by the group of "the Nine".

In support of the peaceful solution of the dispute, the Government of Azerbaijan calls on State leaders around the world, the United Nations, the CSCE and other authoritative international organizations to resolutely condemn the five-year long aggression of Armenia that has been recently intensified, and to take emergency, effective and drastic measures to curb the aggressor.

We also appeal to all nations and international organizations to provide humanitarian aid to the Azerbaijani Republic, badly needed in the present difficult situation.

DOCUMENT S/26058

Letter dated 7 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*8 July 1993*]

I have the honour to transmit to you the text of a statement made by Acting President of the Azerbaijani Republic and Chairman of the Supreme Soviet of the Azerbaijani Republic, Mr. Heydar Aliyev, during the meeting with Ambassadors of United States, the Russian Federation and the Republic of Turkey at Baku and the representative of the United Nations in Azerbaijan, which was held on 5 July 1993 in the Supreme Soviet of the Azerbaijani Republic.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

In my statement of 2 July 1993 [*S/26057*], I drew the attention of the United States of America, Russia, Turkey, the United Nations, the Conference on Security and Cooperation in Europe (CSCE) and the international community to the situation created as a result of intensive attacks of the Armenian Armed Forces on the Azerbaijani territories and called on them to take necessary measures to stop the aggression. As these States are the initiators of the process of peaceful resolution of the Karabakh problem, the necessity of implementation of Security Council resolution 822 (1993) was declared as a result of the efforts of these States.

As it was known, the Chairman of the CSCE Minsk Conference, Mr. M. Raffaelli, was to visit Azerbaijan on 5 July. Leaders of the Republic, while preparing to meet Mr. Raffaelli, have implemented necessary measures and accepted his programme. I should note with deep regret and surprise that the ambassadors invited here, i.e. the States they represent, have not taken necessary measures. With this statement, I refer to the fact that after 2 July the aggression of the Armenian Armed Forces on the Azerbaijani territories not only failed to stop, but increased even more since 3-4 July.

Therefore, we do not know what policy the United States of America, Russia and Turkey are pursuing in this respect. Although we had great expectations of Mr. Raffaelli's visit to Azerbaijan, we hoped that his visit and the implementation of the envisaged programme would stop the attacks of the Armenian Armed Forces. Unfortunately, this morning we were informed that he would not visit Baku and, in effect, he postponed his visit. We are not aware of the reasons of this decision.

We cannot understand why Mr. Raffaelli took this step, and we express our discontent and dissatisfaction with such a decision. It became known afterwards that he made this decision on the basis of the information distributed by foreign agencies that the Armenians had allegedly captured Agdam. If great political and diplomatic steps were taken on the basis of unreliable and unverified information distributed by different agencies, this merely causes our surprise and we cannot understand it. Thus, the fact that Mr. Raffaelli has withdrawn from his plan and postponed his envisaged visit which was of great importance, means that the CSCE, on which Azerbaijan pinned its hopes, actually keeps away from the process of the conflict and we are compelled to lead a face-to-face fight with Armenia and this deals a serious blow to the prospects for a peaceful settlement of the problem and means still greater intensification of the war in the region. It is quite impossible to put up with such a situation. In order to prevent this the United States, Russia and Turkey must fulfil the mission they undertook and keep their promises. The attitude shown by the ambassadors of these States after 2 July concerning this matter can by no means satisfy us. If the great Powers undertook the initiative and repeatedly invited the Azerbaijani Government to settle the Karabakh problem by peaceful means, they must themselves meet their commitments. We request the Security Council to intervene in this matter and to take necessary measures, making use of its capabilities and authority.

Since 2 July until the present time, a large number of our villages and settlements were captured, destroyed and burned as a result of the attacks of the Armenian Armed Forces. Many people died, many have left their homes and at present they live under severe conditions in the open air. All this undoubtedly proves that at present, it is Armenia that acts from an obviously aggressive position. We want to state that we tried to use all means to peacefully prevent the military aggression of Armenia. I personally had direct telephone talks with the leaders of the Republic of Armenia, the Ambassador-at-large of Russia, V. Kazimirov, the ambassadors of the United States and Turkey in Azerbaijan and asked them to immediately stop the aggression, invited them to solve the problem by peaceful means. Unfortunately, all this proved unsuccessful and at present the bloody fighting continues in the region of the Agdam, Fizuli, Djebrail districts.

We request that everybody do his duty, as appropriate, in this difficult situation. Nobody, including the representatives of foreign countries present here, should doubt that all this is the result of the aggression of the Armenian Armed Forces and it cannot be considered otherwise. We assume that in such a tragic situation these great Powers must take drastic measures.

In conclusion, we want to stress once more that we await Mr. M. Raffaelli's urgent visit, and we guarantee, on the Azerbaijani side, the fulfilment of his mission. However, this guarantee must be bilateral. If the Republic of Armenia and its forces in Nagorny Karabakh really want to settle this problem by peaceful means, they also must guarantee this. Three great Powers - the United States, Russia and Turkey, and the United Nations Organization must exert the necessary influence on the Republic of Armenia in order that such a guarantee be given to Mr. Raffaelli. We await that he will come soon and begin his work.

DOCUMENT S/26060 AND ADD.1 AND 2

Further report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)

DOCUMENT S/26060

[*Original: English*]
[*12 July 1993*]

INTRODUCTION

1. The present report is submitted in response to paragraph 15 of Security Council resolution 834 (1993) of 1 June 1993, by which the Council requested the Secretary-General

> "to submit to it as soon as the situation warrants, and in any case before 15 July 1993, a report on the situation in Angola with his recommendation for the further role of the United Nations in the peace process and, in the meantime, to keep the Council regularly informed of developments."

2. Since the adoption of the above resolution, the Security Council has been periodically kept informed of developments in the Angolan situation. Previously, on 27 May 1993, I requested the President of the Council [*S/25882*] to bring to the attention of its members that I had agreed reluctantly to accede to the wish expressed by my Special Representative for Angola, Miss Margaret Joan Anstee, to be released from her responsibilities. I further informed the Council of my intention, following consultations, to appoint Mr. Alioune Blondin Beye, former Minister for Foreign Affairs of Mali, to replace Miss Anstee as my Special Representative for Angola, effective 28 June 1993. In a letter dated 4 June 1993 [*S/25883*], the President of the Council informed me that members of the Council welcomed my decision and wished to express their appreciation to Miss Anstee for the courage and untiring dedication she had shown as Special Representative for Angola in especially difficult circumstances. I share these sentiments and would like to reiterate my appreciation for Miss Anstee's service to the cause of peace in Angola. As peace remains elusive in that long-suffering country, I am confident that my new Special Representative will spare no efforts in order to promote the attainment of this common objective.

I. POLITICAL AND MILITARY SITUATION

3. In the six weeks since my report to the Security Council dated 25 May 1993 [*S/25840*], the scenario that was feared following the suspension on 21 May of the Abidjan peace talks appears, unfortunately, to have come to pass. The Angolan political and military situation has continued to deteriorate dangerously as fighting has intensified and as the mistrust which has inhibited meaningful political accommodation has deepened. The consequences, both for Angola and for regional security, are increasingly worrying. The neighbouring countries are receiving large inflows of Angolan refugees and have expressed growing concern as the fighting has spread closer to their borders. Other countries, in particular those with long-standing ties with Angola or those with nationals and property in the country, are also increasingly anxious over the worsening situation.

4. Repeated efforts by the National Union for the Total Independence of Angola (UNITA) to seize additional territory have called into serious question its declarations about peaceful intentions. The encircled provincial capital cities of Cuito/Bié, Malange and Menongue continue to hold out under government control after months of an increasingly tightening siege. UNITA has also intensified attacks on another provincial capital, Caxito, some 50 kilometres from Luanda. The seizure of the oil-producing town of Soyo and the diamond-producing town of Cafunfo is obviously aimed at causing serious economic losses to the Government. Meanwhile, the Government recently reintroduced military conscription, and the National Assembly, on 17 June, adopted a resolution empowering the Government to use any means, including placing the country on a war footing, in order to confront the UNITA offensive. As the fighting has intensified throughout the national territory, so too have mutual accusations of the use of mercenaries and other foreign forces. In addition, there have been reports that both sides have entered into arrangements with foreign sources for the supply of military equipment and other support.

5. In a particularly serious incident, UNITA ambushed a train between Quipungo and Matala in Huila Province on 27 May, as a result of which up to 300 people, including women and children, died and hundreds of others were wounded. UNITA alleged that the train was ferrying troops and weapons and not civilians, as claimed.

Following the attack, UNAVEM helicopters evacuated 57 seriously injured civilians, mostly women and children, from the site. I am deeply concerned about the continued fighting, which is impeding chances for peace and has aggravated an already catastrophic humanitarian situation in Angola. I therefore support the statement made by the President of the Security Council to the press on 8 June 1993 in which the Council strongly condemned the 27 May train attack and urged UNITA's leaders to make sure that its forces abide by the rules of international humanitarian law.

6. The meeting of Heads of State and Government of the Organization of African Unity (OAU), convened at Cairo in June 1993, called on UNITA to resume as soon as possible the peace talks with the Government with a view to establishing a definitive cease-fire and ensuring the full implementation of the Peace Accords for Angola. I took the opportunity of my participation in the OAU Summit to consult extensively with President José Edouardo dos Santos and other African leaders on ways and means of advancing the peace process in Angola.

7. The United States of America, which inaugurated its Embassy in Luanda on 22 June 1993, following its recognition of the Government of Angola on 19 May, stated its willingness to continue to work with the Government and UNITA towards resuming peace talks. The South African Government has reopened its diplomatic liaison mission in Luanda, and on 4 June the Foreign Ministers of the two countries met at Windhoek for formal talks brokered by the Foreign Minister of Namibia. In addition, the President of Namibia has invited Mr. Jonas Savimbi, President of UNITA, to visit Namibia. The three observer countries (Portugal, the Russian Federation and the United States), which are continuing to play an important role in the peace process, met on 8 June in Washington and, most recently, on 8 July in Moscow. In a strongly worded statement, they called for the immediate cessation of hostilities and reaffirmed that it should be the goal of the international community to re-establish the cease-fire, complete the key aspects of the Peace Accords and implement the principles contained in the draft memorandum of understanding of the Abidjan protocol. They also agreed that the United Nations should continue its role in the search for a peaceful solution in Angola.

8. Since his arrival in Angola on 30 June, my Special Representative has been pursuing, at various levels, intensive consultations aimed at resuming the peace talks under United Nations auspices with a view to the establishment of a cease-fire throughout the country and the full implementation of the Peace Accords. In his meeting with President dos Santos on 5 July at Luanda and with Dr. Savimbi on 8 July at Huambo, the Special Representative explored in detail various avenues to reopening the peace process. Mr. Beye reiterated my intention to recommend to the Security Council an enlarged United Nations peace-keeping presence on the condition that a comprehensive agreement was reached. Similarly, he also explored with the parties ideas contained in paragraph 38 of my previous report on Angola [*ibid.*], which stressed the importance of providing adequate protection to ensure the security of humanitarian relief personnel and to guarantee that aid reached the Angolan civilian populations in need. Based on these discussions, my Special Representative reported to me on 9 July that the atmosphere might be right for some optimism for relaunching the peace negotiations.

9. In the course of the initial discussions with my new Special Representative, the Government and UNITA have expressed their readiness to resume peace talks and to facilitate humanitarian relief operations. Mr. Savimbi also stressed that he saw the need for the United Nations to assume an effective mediation role. Mr. Beye emphasized that the international community, as reflected in recent Security Council resolutions, was increasingly worried about the prevailing situation in Angola and stressed the need to preserve and consolidate the progress achieved during the recent Abidjan talks. Genuine political will and concrete action were essential in order to overcome the current impasse and to help bring the war and the suffering to an end. Only after such genuine commitment had been ascertained would new direct negotiations be useful and productive.

II. HUMANITARIAN ASSISTANCE

10. From the outset of the renewed hostilities, the United Nations agencies and programmes did everything possible with their locally available resources to provide emergency humanitarian assistance in Angola. Almost 2 million people are now at risk and need food and non-food aid to survive. Despite logistical difficulties and security concerns, relief supplies have been delivered and distributed by the United Nations in conjunction with local and international non-governmental organizations. The United Nations Humanitarian Assistance Coordination Unit in the office of the Special Representative plays a major coordinating role in this process. A United Nations Consolidated Appeal for Angola was presented at a donors conference in Geneva on 3 June 1993, the response, estimated at some US$ 70 million, though falling short of the appeal target of $226 million, was nevertheless promising.

11. Given the absence of a cease-fire and the resulting risks encountered in the delivery of emergency relief, the Special Representative has actively pursued the one-month emergency relief plan described in paragraph 24 of my report dated 25 May. Having secured the approval in principle of both the Government and UNITA to this plan, he informed the parties on 17 June of the starting date of its implementation. Accordingly, on 21 June, World Food Programme (WFP) aircraft flew to Saurimo, with 12 metric tonnes of food, to Luena, with 12 metric tonnes of food, and to Huambo, carrying UNICEF blankets, medicines, and 2 metric tonnes of vegetable oil from WFP. However, the whole plan was suspended after UNITA denied access to the besieged cities of Cuito Bie, Malange and Menongue, and the Government in response decided to suspend flights temporarily pending the establishment of secure conditions to carry out flights to all destinations indicated in the United Nations plan. Since then, progress has been reported in negotiating the resumption of the plan and the Director of the Humanitarian Assistance Coordination Unit hopes to finalize the details during a forthcoming visit to Huambo.

12. I would like to stress once again that the effectiveness of any relief operation, especially in a situation of ongoing military confrontation, depends above all on the cooperation of the combatants. This is why I reiterate my strong appeal to the Angolans to abide by the rules of international humanitarian law and to facilitate unimpeded access for the delivery of relief to the population in need.

13. In a related development, the World Conference on Human Rights, held recently at Vienna, adopted on 24 June a special declaration[5] which urged the Security Council to take steps towards reaching an immediate and effective cease-fire and restoring peace and security in Angola, and also called upon the international community to extend immediate humanitarian assistance to Angola. I should also like to express my relief that, after extensive negotiations, cooperation has been extended by UNITA to the International Committee of the Red Cross in ensuring the long-awaited evacuation of foreign nationals who had been trapped in Huambo.

III. SITUATION OF UNAVEM II

14. In my report of 25 May, I recommended a further interim extension of UNAVEM II, on a reduced basis, and in a manner which would respond to the evolution of the military and political situation. The Mission would provide good offices and mediation, with the goal of restoring a cease-fire and reinstating the peace process along the lines of the Bicesse Accords. On 9 July, Major-General Chris Abutu

Garuba (Nigeria), to whose appointment the members of the Security Council agreed earlier this year [*S/25343*], assumed command as Chief Military Observer of UNAVEM II. In this connection, I should like to pay tribute to Brigadier-General Michael Nyambuya (Zimbabwe), who has been acting as Chief Military Observer, for his distinguished service in his very difficult assignment.

15. In conformity with paragraph 1 of resolution 834 (1993), I have reduced the size of the Mission to its current strength of 43 international civilian staff, 50 military observers, 18 police observers, 11 military paramedics, as well as necessary local staff. The activities of the UNAVEM II military and police components, which are currently deployed in four locations in addition to Luanda, are focused on patrolling, assessing the military situation, liaising with military and civilian officials, coordinating and assisting in the delivery of humanitarian assistance to the civilian population and participating in other humanitarian operations. Current staff and logistic resources are based on my assessment of the situation at the time resolution 834 (1993) was adopted. However, additional administrative support will be required on short notice if there is an increase in operations. UNAVEM also continues to support UCAH at its current level of activity.

16. Vehicles and prefabricated shelters, valued at $773,000, have been recovered from several areas outside Luanda from which UNAVEM II withdrew following the outbreak of hostilities in January 1993. UNAVEM II remains at phase III security status and continues to cooperate closely on security matters with United Nations agencies operating in Angola. There are enough UNAVEM II and WFP aircraft in the country to airlift United Nations personnel in Angola to a safe haven, should that become necessary. Arrangements have also been made for a sea evacuation.

IV. OBSERVATIONS AND RECOMMENDATIONS

17. The international community has made a major effort to help Angola peacefully settle its civil war in the expectation that free and fair elections would provide a basis for stability, rehabilitation and reconstruction of the country. The establishment of UNAVEM II was coupled with a major humanitarian assistance programme to relieve the suffering of the Angolan population. The unfortunate aftermath of the election, when one party rejected its results, brought continued civil war and hardship to Angolans. Renewed hopes were placed in the Abidjan talks of April 1993. Regrettably, while very nearly reaching success, those talks also had to be suspended. In the present circumstances, it would, of course, be unthinkable for the international community and the United Nations to abandon Angola. At the same time, it is the Angolans themselves who can ultimately establish a firm foundation for peace through agreements and reconciliation. Policies of capturing territories and military strategy are incompatible with these goals.

18. UNAVEM II has become an essential factor in a continuous United Nations effort to facilitate the resumption of negotiations to advance the peace process, as well as to support vital humanitarian activities in the country. To some extent, the Mission is also important as a preventive measure to check further escalation of the conflict. In addition, it has become an indispensable channel for communication between the parties. With these considerations in mind, I recommend to the Security Council that the UNAVEM II mandate be extended for a period of three months to allow the United Nations to vigorously pursue a peace agreement. My Special Representative will continue to offer his good offices, to act as intermediary between the Government and UNITA and to assist them to build on the progress made in Abidjan in order to conclude an agreement for the peaceful settlement of the conflict in Angola.

19. This extension, the cost of which will be outlined in an addendum to the present report, will allow the Mission to respond to the developments in the peace process, including possible overall agreement. I very much hope that this period will be utilized for an active search for a lasting political solution, together with a strict and realistic timetable for its implementation. Once a timetable for the implementation of a peace agreement is established, I shall present specific proposals to the Security Council for the strengthening of the verification capabilities of UNAVEM II. I call on the international community to strongly encourage the parties towards the earliest return to the framework of the peace settlement based on the Bicesse Accords. Meanwhile, all avenues should be explored to ensure safe delivery of humanitarian aid to the needy in Angola. I strongly appeal to UNITA to allow the resumption without delay of the United Nations emergency humanitarian assistance plan.

20. In conclusion, I should like to pay a tribute to all UNAVEM II personnel who continue to serve with dedication to advance the peace process in Angola under difficult circumstances. My Special Representative, Mr. Beye, assisted by Major-General Garuba, has my full support in carrying out the challenging tasks ahead.

DOCUMENT S/26060/ADD.1

[*Original: English*]
[*12 July 1993*]

1. In my report to the Security Council [*S/26060*], I indicated in paragraph 19 that the preliminary cost estimates for the interim extension of UNAVEM II would be provided in an addendum to the report.

2. Should the Security Council approve my recommendation for a three-month interim extension of UNAVEM II, it is estimated that the total cost would amount to $6,348,000 gross for the three-month period from 16 July to 15 October 1993. The current Mission strength consists of 43 international civilian staff, 50 military observers, 18 police observers, 11 medical and 75 local staff. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

3. It would be my recommendation to the General Assembly, should the Security Council decide to approve my recommendation, that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to the UNAVEM special account.

ANNEX

Cost estimates for the extension of the United Nations Angola Verification Mission (UNAVEM II) for the period 16 July to 15 October 1993

(*Thousands of United States dollars*)

Military observers	570.2
Civilian police	185.6
Civilian personnel	2 090.8
Premises, rental and maintenance	676.4
Vehicle operations	150.0
Aircraft operations	2 233.0
Communications	100.0
Miscellaneous equipment	14.0
Miscellaneous supplies, services, freight, death and disability allowance and support costs	328.0
TOTAL	6 348.0

DOCUMENT S/26060/ADD.2

[*Original: English*]
[*14 July 1993*]

1. In response to a request conveyed to the Secretariat by the President of the Security Council in informal consultations on 13 July 1993, I wish to inform the Council that the total estimated cost of a two-month interim extension of UNAVEM II would amount to $4,307,600 for the two-month period from 16 July to 15 September 1993. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

2. It would be my recommendation to the General Assembly, should the Security Council decide to approve my recommendation, that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to the UNAVEM special account.

ANNEX

Cost estimates for the extension of the United Nations Angola Verification Mission (UNAVEM II) for the period 16 July to 15 September 1993

(*Thousands of United States dollars*)

Military observers	413.7
Civilian police	135.7
Civilian personnel	1 393.9
Premises, rental and maintenance	450.9
Vehicle operations	100.0
Aircraft operations	1 518.7
Communications	66.7
Miscellaneous equipment	9.3
Miscellaneous supplies, services, freight, death and disability allowance and support costs	218.7
TOTAL	4 307.6

DOCUMENT S/26063*

The situation of democracy and human rights in Haiti: report of the Secretary-General

[*Original: English/French*]
[*12 July 1993*]

1. The present report is submitted in pursuance of paragraph 15 of Security Council resolution 841 (1993) of 16 June 1993, in which the Council requested the Secretary-General to report to it, not later than 15 July 1993, and earlier if he considered it appropriate, on progress achieved in the efforts jointly undertaken by him and the Secretary-General of the Organization of American States (OAS) with a view to reaching a political solution to the crisis in Haiti, and bearing in mind the relevant resolutions of the General Assembly, particularly resolutions 47/20 A of 24 November 1992 and 47/20 B of 23 April 1993.

2. In an oral statement delivered to the Security Council by the Secretary-General's Senior Political Adviser to the Security Council in informal consultations on 11 June 1993, the Council was informed that, despite the efforts deployed since the middle of December 1992 by Mr. Dante Caputo, the Special Envoy of the Secretaries-General of the United Nations and OAS, the de facto authorities in Haiti had not displayed the required political will to reach a political solution to the crisis in that country. The Secretary-General had also mentioned his belief that, in the absence of stronger pressures by the international community, the prospects for a swift and peaceful solution would be seriously in jeopardy.

3. In the days prior to the adoption of resolution 841 (1993), the Special Envoy redoubled his efforts to establish a political dialogue between the constitutional Government of Haiti and the de facto regime, bringing to the attention of the latter that, under paragraph 3 of that resolution, sanctions under Chapter VII of the Charter would come into force at 0001 EST on 23 June 1993 unless the Secretary-General, having regard to the views of the Secretary-General of OAS, had reported to the Council that, in the light of the results of the negotiations conducted by the Special Envoy, the imposition of such measures was not warranted at that time.

4. While the Special Envoy was unable to establish a political dialogue, or consequently to achieve any concrete results prior to 23 June 1993, he eventually obtained the agreement of the President of Haiti and of the Commander-in-Chief of the Armed Forces of Haiti to participate with their respective delegations at a meeting with him at Governors Island, New York, beginning on 27 June 1993.

5. At the conclusion of that meeting, on 3 July 1993, President Jean-Bertrand Aristide and General Raoul Cédras, the Commander-in-Chief of the Armed Forces, signed an Agreement containing arrangements to be made in order to resolve the Haitian crisis. The text of the Governors Island Agreement reads as follows:

> "The President of the Republic of Haiti, Jean-Bertrand Aristide, and the Commander-in-Chief of the Armed Forces of Haiti, Lieutenant-General Raoul Cédras, have agreed that the following arrangements should be made in order to resolve the Haitian crisis. Each of them has agreed to take, within the scope of his powers, all the necessary measures for the implementation of these arrangements. Furthermore, they both, in any case, express their support for the implementation of these arrangements and pledge to cooperate in implementing them.
>
> "1. Organization, under the auspices of the United Nations and the Organization of American States (OAS), of a political dialogue between representatives of the political parties represented in the Parliament, with the participation of representatives of the Presidential Commission, in order to:
>
> "(*a*) Agree to a political truce and promote a social pact to create the conditions necessary to ensure a peaceful transition;
>
> "(*b*) Reach an agreement on the procedure for enabling the Haitian Parliament to resume its normal functioning;
>
> "(*c*) Reach an agreement enabling the Parliament to confirm the Prime Minister as speedily as possible; and
>
> "(*d*) Reach an agreement permitting the adoption of the laws necessary for ensuring the transition.
>
> "2. Nomination of a Prime Minister by the President of the Republic.

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* Circulated under the double symbol A/47/975-S/26063.

"3. Confirmation of the Prime Minister by the legally reconstituted Parliament and his assumption of office in Haiti.

"4. Suspension, on the initiative of the United Nations Secretary-General, of the sanctions adopted under Security Council resolution 841 (1993) and suspension, on the initiative of the Secretary-General of OAS, of the other measures adopted at the OAS Ad Hoc Meeting of Ministers of Foreign Affairs, immediately after the Prime Minister is confirmed and assumes office in Haiti.

"5. Implementation, following the agreements with the constitutional Government, of international cooperation:

"(*a*) Technical and financial assistance for development;

"(*b*) Assistance for the administrative and judicial reform;

"(*c*) Assistance for modernizing the Armed Forces of Haiti and establishing a new Police Force with the presence of United Nations personnel in these fields.

"6. An amnesty granted by the President of the Republic within the framework of article 147 of the National Constitution and implementation of the other instruments which may be adopted by the Parliament on this question.

"7. Adoption of a law establishing the new Police Force. Appointment, within this framework, of the Commander-in-Chief of the Police Force by the President of the Republic.

"8. The Commander-in-Chief of the Armed Forces of Haiti has decided to avail himself of his right to early retirement and the President of the Republic shall appoint a new Commander-in-Chief of the Armed Forces in Haiti, who shall appoint the members of the General Staff, in accordance with the Constitution.

"9. Return to Haiti of the President of the Republic, Jean-Bertrand Aristide, on 30 October 1993.

"10. Verification by the United Nations and the Organization of American States of fulfilment of all the foregoing commitments.

"The President of the Republic and the Commander-in-Chief agree that these arrangements constitute a satisfactory solution to the Haitian crisis and the beginning of a process of national reconciliation. They pledge to cooperate fully in the peaceful transition to a stable and lasting democratic society in which all Haitians will be able to live in a climate of freedom, justice, security and respect for human rights."

6. The Agreement provides for verification of all the foregoing commitments by the United Nations and OAS. The purpose of verification will be to ensure that during the transition period all concerned comply with the letter and spirit of the Agreement, especially as regards civilian control of the military and respect for human rights.

7. It would be the intention of the Secretary-General, if these arrangements are approved, to entrust the verification of the Governors Island Agreement to the Special Envoy, who would report regularly to him and to the Secretary-General of OAS. The Secretary-General will, in turn, submit regular reports to the Security Council and the General Assembly, including such recommendations as he deems fit for action to ensure full implementation of the Agreement.

8. As regards human rights, the Secretary-General would propose that the arrangements already arrived at with the constitutional Government of Haiti and with the de facto authorities for the establishment and operation of the International Civilian Mission in Haiti of the United Nations and OAS remain in effect and continue to be fully and expeditiously implemented. The Special Envoy will include the contents of the reports addressed to him by the Executive Director of the Mission in his regular reports to the Secretary-General of the United Nations and the Secretary-General of OAS.

9. The representatives of the Secretary-General will consult regularly with those of the President of the Republic of Haiti in order to exchange views on progress achieved in the implementation of the Agreement.

10. As regards sanctions, the Secretary-General recommends that the Security Council, after taking note of the Governors Island Agreement, endorse the proposal contained in point 4 thereof that the sanctions imposed by the Council in its resolution 841 (1993) should be suspended immediately after the ratification of the Prime Minister and his assumption of his functions in Haiti. The Secretary-General further recommends that the Council decide that the suspension of the sanctions should be automatically terminated if at any time he, having regard to the views of the Secretary-General of OAS, reports to the Council that the parties to the Governors Island Agreement or any authorities in Haiti have failed to comply in good faith with the Agreement.

11. The Secretary-General would consider that failure to comply with the undertakings would include, *inter alia*, refusal by the High Command of the Armed Forces to obey the decisions of the new Commander-in-Chief who is to be appointed in accordance with point 8 of the Agreement, and numerous violations of the human rights and fundamental freedoms set forth in the international instruments to which Haiti is a party and in the Constitution of Haiti.

12. Immediately after the return of President Aristide to Haiti, the Secretary-General would report to the Security Council with a view to the sanctions being lifted definitively.

13. The Secretary-General of OAS has informed the Secretary-General that he would take parallel action with respect to the measures adopted by that Organization.

14. Point 5 of the Agreement provides for the presence of United Nations personnel in Haiti to assist in the modernization of the Armed Forces and the establishment of a new police force. After the necessary consultations with the constitutional Government of Haiti, which it is hoped will be completed in the coming days, the Secretary-General will report to the Security Council with his recommendations on that aspect of the implementation of the Agreement. He will similarly report to the General Assembly, as necessary, with his recommendations relating to the implementation of assistance for development and administrative and judicial reform.

15. The Secretary-General wishes to place on record his gratitude for the assistance he and the Special Envoy have received at all times since the beginning of this process, particularly during the negotiations at Governors Island, from the Governments of Canada, France, the United States and Venezuela, which have constituted themselves as "Friends of the Secretary-General" for Haiti. Their invaluable support was crucial to the successful completion of this stage of the process.

16. The provisions of the Agreement will require detailed follow-up in the months ahead. The Secretary-General is confident that they will be fully implemented, that by 30 October of this year the relevant resolutions of the Security Council and the General Assembly will have been complied with and that Haiti will be firmly

set on the path to a stable democratic future in which all Haitians will fully enjoy fundamental human, civil and political rights. The Secretary-General trusts that the international community will be generous and forthcoming in providing Haiti with the technical and financial assistance required for the reconstruction of its economy and its institutions, as well as moral and political support to the Haitian people in their search for a just, peaceful and prosperous society.

DOCUMENT S/26064

Letter dated 9 July 1993 from the representatives of Portugal, the Russian Federation and the United States of America to the Secretary-General

[*Original: English*]
[*10 July 1993*]

Upon instructions from our Governments, we have the honour to send to you the English and Russian texts of the joint statement made by the Heads of the delegations of Portugal, the Russian Federation and the United States of America in Moscow, on 8 July 1993, concerning the situation in Angola, and to request that this be circulated as a document of the Security Council.

(*Signed*) M. Pedro CATARINO
Permanent Representative
of Portugal to the
United Nations

(*Signed*) Yuli M. VORONTSOV
Permanent Representative
of the Russian Federation
to the United Nations

(*Signed*) Madeleine Korbel ALBRIGHT
Permanent Representative
of the United States of America
to the United Nations

TEXT OF THE STATEMENT

[*Original: English and Russian*]

The representatives of Portugal, the Russian Federation and the United States of America, official observers for the implementation of the Bicesse Peace Accords for Angola, met in Moscow 8 July 1993. The delegations were led respectively by Mr. José Manuel Briosa e Gala, Secretary of State for Cooperation of Portugal, Mr. G. B. Karasin, Director of the African Directorate of the Ministry of Foreign Affairs of the Russian Federation, and Mr. George E. Moose, Assistant Secretary of State for African Affairs. The troika participants met the First Deputy Minister of Foreign Affairs of the Russian Federation Mr. A. L. Adamishin. The troika session was addressed by Mr. V. V. Posuvalyuk, Director of the Africa and Middle East Department of the Russian Ministry of Foreign Affairs.

The observers discussed specific measures to resolve the Angolan crisis in the light of the forthcoming Security Council meeting on Angola.

The observers analysed the current critical situation and came to the following conclusions:

- UNITA continues to pursue its military strategy to attack, capture and occupy territory and population areas administered by the Government of the Republic of Angola;
- UNITA has persisted in this policy despite comprehensive efforts by the international community to re-establish a cease-fire in accordance with the Peace Accords signed by President Eduardo dos Santos, on behalf of the Government and by Mr. Jonas Savimbi, on behalf of UNITA;
- UNITA is not observing the key principles of the Peace Accords, including its pledges to respect the results of the September 1992 elections, to participate in a government of national reconciliation according to the election results, and to integrate its military forces in a unified national armed force.

The observers reiterated that it should continue to be the goal of the international community to re-establish the cease-fire, including the full observance of Triple Zero, complete the key aspects of the Bicesse Peace Accords and implement the additional principles contained in the draft memorandum of understanding of the Abidjan protocol to reinforce the Accords.

The observers call for an immediate cessation of hostilities and strongly urge UNITA to end its threats and intimidation against United Nations personnel or other participants in the peace process and refrain from direct actions or threats against citizens or installations of third countries.

Given the current circumstances the observers recognize that the GRA has the legitimate right of self-defence and view sympathetically its efforts to acquire the necessary means to defend itself. Nevertheless, the observers expressed their concern about the growing level of human suffering and destruction and stressed the consequent need to exercise restraint in order not to aggravate the situation.

The observers reiterated their strong support for previous resolutions of the Security Council and took positive note of the Cairo Organization of African Unity Summit declaration on Angola [*S/26076*]. They once again urge UNITA to implement the will of the people of Angola and of the international community and to accept a return to the framework of the peace settlement based on the Bicesse Accords and the corresponding resolutions of the Security Council. The way to a reasonable political compromise for the sake of the future of the people of Angola is open and the Government of Angola has repeatedly affirmed that.

The observers also discussed additional measures that might be considered by the Security Council to resolve the crisis in Angola, including:

- Measures to limit UNITA's ability to continue its military campaign, including an arms embargo;
- Measures to obtain UNITA's compliance with the Peace Accords it has signed;
- Measures to restrict the international movements of UNITA members engaged in any activities contrary to the peace process;
- The reconvening of the negotiations between the Government of Angola and UNITA under United Nations auspices as soon as possible;
- The means of assuring full compliance by UNITA of Security Council resolution 804 (1993) on the release of foreign nationals taken hostage;
- Careful consideration of the mandate of the United Nations Angola Verification Mission II with the possibility of bringing the Mission back to its full strength;
- More effective means to ensure the unimpeded delivery of humanitarian aid.

The necessity of applying these or other possible measures will depend directly on the actions of UNITA's leadership.

At its meeting in Moscow the troika also discussed the proposals concerning the expansion of economic and technical assistance to the Government of Angola from the international community for the reconstruction of the country.

The delegations of Portugal and the United States of America would like to express their gratitude to the Government of the Russian Federation for its hospitality.

DOCUMENT S/26066

Letter dated 8 July 1993 from the Secretary-General to the President of the Security Council

[*Original English*]
[*8 July 1993*]

I have the honour to convey the attached report addressed to me on 6 July 1993 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

The report refers only to Bosnia and Herzegovina, without entering into other questions within the purview of the Conference.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia

INTRODUCTION

1. The activities of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia were last reported to the Security Council in its previous report [*S/25709*]. The present report covers events concerning Bosnia and Herzegovina since early May 1993.

I. DEVELOPMENTS AFFECTING THE VANCE-OWEN PEACE PLAN

2. It will be recalled that, up to the first week of May 1993, the efforts of the Co-Chairmen of the Steering Committee, with the support of the Security Council, had been directed towards completing signature by the three Bosnian sides of the Vance-Owen peace plan, consisting of constitutional principles, a military agreement, a provisional provincial map and an agreement on interim arrangements. Signature of the peace plan was completed on 2 May when Mr. Karadzic signed the provisional provincial map and the agreement on interim arrangements. However, Mr. Karadzic's signature was annulled almost immediately by the Bosnian-Serb assembly meeting at Pale (5 May) and the subsequent "referendum" (15 and 16 May), despite President Milosevic and Prime Minister Mitsotakis intervening in favour of it. Immediately after the assembly meeting, the Federal Republic of Yugoslavia (Serbia and Montenegro) announced that it was cutting off all but humanitarian supplies to the Bosnian Serbs.

3. One of the prerequisites for forging ahead with the implementation of the Vance-Owen peace plan in the absence of agreement by the Bosnian Serbs was the continuation of cooperation between the Muslims and Croats. Unfortunately, by the second week of May, major fighting broke out again between the Croats and Muslims in central Bosnia. The Co-Chairmen immediately left New York on 14 May in order to travel to central Bosnia for meetings with President Izetbegovic, Mr. Boban, President Tudjman and their military advisers. This meeting took place on 18 May in Medugorje, near Mostar. At the meeting, the Co-Chairmen sought to achieve the following objectives:

(*a*) A cessation of hostilities between the Muslims and the Croats;

(*b*) Cooperation between the Muslims and the Croats in the implementation of the peace plan in the six predominantly Muslim or Croat provinces;

(*c*) Further meetings of the Coordination Body to pursue the implementation of the peace plan;

(*d*) The organization of regular meetings of the Presidency of Bosnia and Herzegovina;

(*e*) The formation of a Government with agreed allocations of ministries and diplomatic posts.

4. President Izetbegovic and Mr. Boban reached understandings on all of these points and it was agreed to hold a follow-up meeting in Sarajevo to pursue the implementation of these decisions. On 20 May the United States and Russian Foreign Ministers met to discuss the situation in Bosnia and were joined by their United Kingdom, French and Spanish colleagues on 21 May, with a joint statement being published on 22 May. Unfortunately, the perception was conveyed during these meetings in some press reports that the roll-back of the Bosnian Serbs was no longer a priority issue on the international agenda.

5. The Co-Chairmen travelled to the follow-up meeting of the Coordination Body scheduled to be held in Sarajevo on 3 June. While there, they met Mr. Karadzic, who had welcomed the Washington statement, and his colleagues in Pale in order to see if it would be helpful to invite him to join the Coordination Body. However, they found that Mr. Karadzic had interpreted the Washington statement as meaning the Bosnian Serbs no longer had to negotiate about the Vance-Owen peace plan. He was insistent on the need for the "Republika Srpska" to be recognized, and the Co-Chairmen did not feel it appropriate to pursue the question of inviting him to designate representatives on the Coordination Body. Unfortunately, the meeting planned between President Izetbegovic and Mr. Boban in Sarajevo on 4 June could not be held. The helicopter in which Mr. Boban was flying to Sarajevo was shot at and received two direct hits, one near the fuel tank. He returned to Split. The Co-Chairmen met with President Izetbegovic and then immediately travelled to Split for discussions with Mr. Boban. The objectives of the Co-Chairmen remained the same, namely the progressive implementation of the peace plan to the extent possible in the circumstances.

6. Meanwhile fighting in central Bosnia increased between the Muslims and the Croats as each tried to contest as much territory as possible. It became increasingly evident that the cooperation between the Muslims and the Croats, which had lasted with varying degrees of commitment since the referendum in March 1992, no longer existed. The Co-Chairman visited Belgrade and Zagreb over the period 9 to 11 June. In Belgrade, President Milosevic informed them that Mr. Karadzic was ready to negotiate on the basis of the Vance-Owen peace process. In Zagreb, Mr. Boban indicated that he was willing to meet President Izetbegovic only if Mr. Karadzic also participated in the discussions. This, combined with the fighting on the ground, made it abundantly clear that a new stage had been reached in the conflict in Bosnia and Herzegovina.

7. At the invitation of the Co-Chairmen, the Presidency of Bosnia and Herzegovina met in Geneva on 13 and 14 June. This was the first time that the full Presidency had met for nearly 14 months. The Presidency has since held several meetings in Geneva, Zagreb and Sarajevo.

8. The Co-Chairmen brought together for discussions in Geneva on 15 and 16 June Presidents Bulatovic, Milosevic, Tudjman and Izetbegovic. Mr. Karadzic and Mr. Boban were not present at the discussions with President Izetbegovic, but were available for consultations. President Izetbegovic listened carefully over several hours to a proposal that Bosnia and Herzegovina should be a confederated State, and asked that he should be provided with further elements which he could put before his people. He did not negotiate. At the conclusion of the talks on 16 June, it was decided that all the participants should meet again on 23 June, after Mr. Karadzic and Mr. Boban had met to work out their ideas.

9. During their meetings with the Presidency of Bosnia and Herzegovina, the Co-Chairmen emphasized to them the need for all parties involved in the conflict in Bosnia and Herzegovina to engage in a constructive negotiation process, especially because of the deterioration in the situation on the ground politically and militarily and in humanitarian terms. Some members of the Presidency themselves emphasized that the situation could not be allowed to continue because of the suffering of the people on the ground.

II CONFEDERATION PROPOSALS

10 Presidents Milosevic and Tudjman informed the Co-Chairmen at their meeting on 23 June that consultations had taken place between Mr Boban and Mr Karadzic and that a draft providing for the organization of Bosnia and Herzegovina into a confederation of three constituent republics had been prepared. The constitutional principles already agreed upon as part of the Vance-Owen peace plan had been the basis for this document. The Co-Chairmen discussed the draft put forward and suggested additional elements designed to foster the cohesiveness and integrity of Bosnia and Herzegovina as a State Member of the United Nations. These included:

(*a*) The establishment of a Confederated Council of Ministers whose Chairman would be Prime Minister, rotating at agreed intervals among the three Republics, with a similar rotation for the Foreign Minister;

(*b*) The referral of disputes that cannot be settled in the Constitutional Court by consensus for binding arbitration by a Chamber of five drawn from judges of the International Court of Justice;

(*c*) The international monitoring of throughways so as to ensure freedom of movement.

11 The Co-Chairmen felt that the draft principles were of sufficient importance to give them to the members of the Presidency of Bosnia and Herzegovina for their information (see appendix I). The Co-Chairmen themselves took no position on this document, seeing their role as one of clarifying the issues. The Co-Chairmen then arranged for the Presidency of Bosnia and Herzegovina to meet with Presidents Milosevic and Tudjman so that the two Presidents could explain their thinking. The meetings, throughout, had the character of an exchange of views.

12 Following the conclusion of the meeting between the Presidency of Bosnia and Herzegovina and Presidents Milosevic and Tudjman, the Co-Chairmen had a further meeting with the Presidency. The Presidency met again in Zagreb on Friday, 25 June. It went to Brussels on Saturday, 26 June for meetings with the European Community troika and returned to Geneva for further discussions with the Co-Chairmen on Monday morning, 28 June. By then both President Izetbegovic and seven members of the Presidency had met with Presidents Milosevic and Tudjman and the European Community troika.

13 In the afternoon of 28 June the Co-Chairmen also had discussions with Mr Boban and Mr Karadzic. During those discussions, the two leaders largely reconfirmed their acceptance of the Vance-Owen plan's military agreement subject to reference to the Mixed Military Working Group for updating and consequential amendment. They also agreed on texts that maintained key parts of the Vance-Owen agreement on interim arrangements, including arrangements for the protection of human rights (see appendices II and III). The texts were distributed to all members of the Presidency of Bosnia and Herzegovina, including President Izetbegovic. The Co-Chairmen again did not take any position on these texts.

14 In the light of their discussions with the Co-Chairmen, all members of the Presidency of Bosnia and Herzegovina met in Sarajevo on 29 June. They decided to appoint a group of three of their members to make policy suggestions for the Presidency in reacting to the proposals of the Serbs and the Croats mentioned above. The Presidency announced its intention to pursue this matter and indicated that it would wish to meet again with the Co-Chairmen.

III MEETING OF THE STEERING COMMITTEE OF THE INTERNATIONAL CONFERENCE

15 The Co-Chairmen convened a meeting of the Steering Committee of the International Conference on the Former Yugoslavia on 1 July.

The Co-Chairmen stressed the following points:

(*a*) The deteriorating security situation facing the United Nations Protection Force (UNPROFOR), the Office of the United Nations High Commissioner for Refugees (UNHCR) and humanitarian workers;

(*b*) The lack of resources for humanitarian operations;

(*c*) The lack of troops in UNPROFOR to fulfil the various mandates entrusted to it by the Security Council;

(*d*) The importance of continuing the search for negotiated solutions;

(*e*) The dangers of escalation of the conflict if the parties turn their backs on the search for negotiated solutions.

16 The Co-Chairmen circulated to the Steering Committee the revised constitutional principles, military agreements and interim arrangements put forward by the Serbs and Croats (see appendices I-III). During the meeting, they gave a detailed presentation on how, as a result of their clarification meetings, they thought a confederation of three Republics in Bosnia and Herzegovina might look in terms of territorial boundaries. They stressed that no specific map had been put forward but that the Serbs and Croats were offering to negotiate directly along the lines they had already explained to President Izetbegovic and the collective Presidency. The Co-Chairmen indicated what elements they had stressed on behalf of the Muslim people during their discussions on the Serb-Croat proposals:

(*a*) The importance of any republic with a predominantly Muslim population being given an equitable and economically viable share of territory, with guaranteed access to the Sava river and Adriatic Sea;

(*b*) The need to ensure road and rail access routes for Sarajevo;

(*c*) The need for contiguous territorial links for Srebrenica, Zepa and Gorazde, the three "safe areas" in eastern Bosnia;

(*d*) The need to ensure that the Bihac area was of sufficient size to be viable and to have guaranteed road access to central Bosnia, and also out to Croatia;

(*e*) The importance of extending a republic with a predominantly Muslim population as far south as possible so as to make credible any guarantee of access to the Croatian port of Ploce.

IV THE CHALLENGES AHEAD

17 In Bosnia and Herzegovina not only is there currently widespread fighting but the humanitarian operations of international organizations are obstructed or sabotaged for military purposes, while the personnel of UNPROFOR, UNHCR and other organizations are increasingly targeted deliberately by members of the armed forces. While all of this is going on, the support of the international community for humanitarian operations is dwindling, with a wide gap between the needs of humanitarian operations and the sums actually received. There is therefore a serious challenge of role and of means affecting the United Nations and other organizations in Bosnia and Herzegovina.

18 The following facts vividly bring out the situation on the ground.

A. *The humanitarian situation*

19 UNHCR has funds for humanitarian operations for only a few more weeks. The winter of 1992-1993 was mild in Bosnia and Herzegovina. The chances are very high that the coming winter will be more severe, taking into account the usual kind of winter in the country. The problem facing UNHCR and other humanitarian organizations now is that they can hardly meet the needs of this summer, much less the needs of the coming winter. Since there is no sign of abatement of the conflict, it must be assumed that there will be a continued need for humanitarian relief in the winter. How to meet this need is difficult to foresee.

20 There is clear evidence of the deliberate targeting of humanitarian personnel. Aid convoys are deliberately blocked as part of the military strategies of all three sides. Humanitarian relief is diverted for military purposes. UNHCR and other humanitarian organizations are unable to operate in some parts of the country.

B. *The peace-keeping situation*

21 The focus of the military conflict has shifted from a relatively localized Serbian-Muslim confrontation in the east to a wide-ranging Croat-Muslim confrontation in the centre. This phase of the conflict has disrupted UNHCR and commercial traffic to the point where food has become scarce in the area. Refugee populations are swelling. Humanitarian agencies advise that many civilians, having exhausted their savings and food stocks over the last winter, are destitute.

22. In Bosnia and Herzegovina UNPROFOR has been given the tasks of protecting humanitarian convoys and deterring attacks against the safe areas. With the deployment of United Nations military observers to Gorazde, UNPROFOR has a presence in each of the safe areas that enables it to monitor the situation. However, the stark realities are that there is little prospect for implementing the safe areas policy before new resources arrive and that the civilian population will face devastating hardship next winter unless UNPROFOR focuses on efforts to restore utilities and humanitarian relief deliveries.

23. At the same time, there is concrete evidence that members of UNPROFOR are becoming the targets of deliberate attacks with a resulting rise in the casualty rates. UNPROFOR has now incurred 548 casualties, including 51 fatalities in the former Yugoslavia. The casualty rate has significantly increased recently.

24. UNPROFOR's resources and equipment are badly strained. UNPROFOR has an urgent need for more troops and for armoured vehicles, medical evacuation capabilities, night vision and other surveillance equipment, signals equipment and communications equipment.

CONCLUSION

25. Members of the Security Council will wish to consider the deteriorating situation on the ground against the prospects for a negotiated settlement. While it is obviously of paramount importance to sustain the humanitarian effort for as long as possible, there is a real risk that, if the present downward spiral continues, it will be impossible for the United Nations to remain in Bosnia and Herzegovina.

APPENDIX I

Constitutional principles for Bosnia and Herzegovina

1. Bosnia and Herzegovina shall be a confederation, the Constitution shall recognize three constituent peoples, as well as a group of others, with most governmental functions carried out by its Republics.

2. The Republics shall not enter into agreements with foreign States or with international organizations if it can damage the interests of other Republics.

3. Full freedom of movement shall be allowed throughout Bosnia and Herzegovina to be ensured in part by the maintenance of internationally monitored throughways.

4. All matters of vital concern to any of the constituent peoples and their Republics shall be regulated in the Constitutions of the Republics and the tripartite constitutional agreement of confederation which, as to these points, may be amended only by consensus.

5. The Republics shall have democratically elected legislatures and democratically chosen chief executives and an independent judiciary. The Presidency of the confederation shall be composed of the three presidents of the Republics. There shall be a Confederal Council of Ministers composed of nine members, three from each of the Republics. The Chairman of the Confederal Council shall be Prime Minister. The Confederal Council shall include a Foreign Minister. The posts of Prime Minister and Foreign Minister shall rotate at agreed intervals among the three Republics. the Confederal Parliament shall be indirectly elected by the legislatures of the three Republics. The initial elections are to be United Nations/European Community/Conference on Security and Cooperation in Europe supervised.

6. A Constitutional Court, with a member from each Republic, shall resolve disputes between the Republics and the Confederation, and among organs of the latter. In the event that the Constitutional Court cannot settle disputes by consensus, they shall be referred for binding arbitration by a Chamber of five drawn from judges of the International Court of Justice.

7. Bosnia and Herzegovina is to be progressively demilitarized under United Nations/European Community supervision.

8. The highest level of internationally recognized human rights shall be provided for in the Constitution, which shall also provide for ensuring implementation through both domestic and international mechanisms.

9. A number of international monitoring devices shall be provided for in the Constitution, to remain in place at least until the three Republics by consensus agree to dispense with them.

APPENDIX II

Agreement for peace in Bosnia and Herzegovina

Provided that there is agreement on the constitutional principles and on a new map of the boundaries of the republics within Bosnia and Herzegovina, the Serb and Croat sides accept the document "Agreement for peace in Bosnia and Herzegovina", subject to reference to the Mixed Military Working Group for updating and any consequential amendments, for example in relation to the agreed map.

APPENDIX III

Interim arrangements

A. *Coordination Body*

A coordination body for the implementation of peace in Bosnia and Herzegovina (hereafter the Coordination Body) will be established to do its utmost to bring the conflict in Bosnia and Herzegovina to an end and to work for reconstruction and full respect for human rights within the framework of the Vance-Owen peace process and the continuing work of the International Conference on the Former Yugoslavia.

The Coordination Body shall be composed of nine members, three each to be appointed from time to time by the parties representing respectively the Muslim, the Serb and the Croat peoples of Bosnia and Herzegovina.

The Coordination Body shall take its decisions by a consensus of nine, or by a qualified majority of seven, or by a simple majority of five, depending on whether the decision relates to a constitutional principle, to a specially important question or to normal business of the Coordination Body. The precise mechanism is to be laid down in the rules of procedure, which will be adopted by consensus.

The Coordination Body shall be chaired by the Co-Chairmen until the start of the interim period. The Coordination Body shall at the start of the interim period elect from its number three Presidents, who shall hold the chairmanship of the Coordination Body on a monthly basis, during which time they shall exercise the functions of Head of the Confederation of Bosnia and Herzegovina.

The Coordination Body shall elect a person to be Foreign Minister and this post will rotate every four months. The Foreign Minister shall be answerable to the Coordination Body.

B. *Boundary commission*

A boundary commission shall be set up by the Secretary-General in consultation with the Co-Chairmen. The commission shall receive and, if necessary, hear evidence from those affected by the proposed provisional boundaries of the Republics and advise on the demarcation of the Republics to be specified in the new Constitution. The commission shall consist of five persons: one each to be recommended by the three parties and two, one of whom shall be the Chairman, to be recommended by the Co-Chairmen. The commission shall use as its basic document the provisional map of the Republics. It shall be empowered to consider only marginal changes to the provisional boundaries. The decisions of the commission shall be adopted by consensus. Any disagreements shall be referred to the Coordination Body.

C. *International borders*

International border crossing-points are to be the responsibility of the Republics; initially, until the new Constitution comes into effect, in accordance with Security Council resolution 838 (1993), international observers shall be deployed to monitor effectively the implementation of the relevant Security Council resolutions.* Monitors shall be drawn from the United Nations and, if appropriate, from Member States acting nationally or through regional organizations. Customs and excise arrangements shall be the responsibility of the Republics. The Coordination Body will establish the quota for funding the confederal budget.

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* The Serbs have entered a reservation on international observers.

D. *Police forces*

All uniformed police shall be controlled by the Republics and shall reflect the proportions of the constituent peoples in the respective Republics. Any necessary coordination shall be the responsibility of the Coordination Body.

E. *Protection of human rights and the reversal of ethnic cleansing*

1. During the interim period, all persons in Bosnia and Herzegovina shall be entitled to all rights provided for in the existing Constitution and in applicable legislation in force, as well as to all rights provided for in specified international instruments on human rights [*see S/24795, annex VII, appendix*]. To the extent that there are any discrepancies, the provision providing the greater protection of human rights shall be applied. All statements or commitments made under duress, particularly those relating to the relinquishment of rights to land or property, shall be treated as wholly null and void.

2. The implementation of the above-mentioned human rights shall be ensured through:

(*a*) The courts of the Republics of Bosnia and Herzegovina, to which all persons shall have unimpeded access;

(*b*) An Interim Human Rights Court for Bosnia and Herzegovina, to be established immediately along the lines of that proposed by the Co-Chairmen for inclusion in the new Constitution [*ibid., Annex VII, Sect VII.B.5*];

(*c*) The immediate appointment of four ombudsmen, supported by adequate staff and facilities [*ibid., sect. VII.B.7*].

3. In addition, there shall be an International Human Rights Monitoring Mission, to be established by the Secretary-General and to be headed by an Interim Human Rights Commissioner for Bosnia and Herzegovina, to be based in Sarajevo. Deputy Commissioners are to be based in various parts of the country. The Commissioner is to be supported by international human rights monitors, deployed throughout Bosnia and Herzegovina, in order to provide protection in urgent cases, they shall be allowed to intercede with the Coordination Body and the governments of the Republics and, with UNPROFOR, they may refer issues to the ombudsmen and to other human rights agencies as needed and are to work closely with UNHCR, the International Committee of the Red Cross (ICRC) and other humanitarian agencies. The Commissioner is expected to submit regular reports to the Secretary-General, who is to report periodically to the Security Council and to other international bodies, including the United Nations Commission on Human Rights and its Special Rapporteur.

4. The Coordination Body and the governments of the Republics shall be required to make certain that all authorities give the fullest access, in respect of all relevant persons and places, to the Interim Human Rights Commissioner, the Deputy Commissioners and the human rights monitors, as well as to UNHCR, ICRC and other international humanitarian organizations.

5. It is understood that as part of the UNPROFOR deployment in Bosnia and Herzegovina there will be a large civilian police element, whose principal task would be to monitor the police of the Republics so that each: has an appropriately balanced ethnic composition (see sect. D above); does not oppress members of minority ethnic groups; contributes positively to the reversal of "ethnic cleansing" by protecting persons returning after having been forced to flee; carries out the judgements of courts, in particular the Human Rights Court (see sect. E.2 (*b*) above); and assists the Interim Human Rights Commissioner, the Deputy Commissioners and the human rights monitors (see sect. E.3 above). All of these monitors would be responsible to the Secretary-General's Special Representative.

F. *International access authority*

1. Principle 3 of the agreed constitutional principles states that "full freedom of movement shall be allowed throughout Bosnia and Herzegovina, to be ensured in part by the maintenance of internationally controlled throughways". In order to implement this principle, the Coordination Body shall establish an International Access Authority:

(*a*) To have sole responsibility for all railway lines in Bosnia and Herzegovina that traverse more than one Republic;

(*b*) To have responsibility, in cooperation with UNPROFOR, for those roads which are declared to be internationally controlled throughways;

(*c*) To regulate, where necessary, the operation of port facilities on the River Sava.

2. The essential purpose of the International Access Authority will be to guarantee full freedom of movement between and within the Republics and also to and from the Republics to the Republic of Croatia and to the Republic of Serbia. It is intended that the Authority be in operation as soon as possible during the interim period. Following the conclusion of the peace package, all designated throughways shall come under the responsibility of UNPROFOR, thereafter there will be a period of overlapping responsibility of UNPROFOR and the Authority, during which UNPROFOR's involvement will be phased out and its responsibilities assumed by traffic police employed by the Authority. This transfer of responsibility requires the agreement of all members of the Authority.

3. The Coordination Body shall appoint the Interim Access Authority.

4. The Authority shall have its headquarters in Sarajevo.

DOCUMENT S/26067

Letter dated 9 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*12 July 1993*]

I have the honour to transmit to you the text (in English and Russian) of a statement by the Heads of State or Government of Afghanistan, Azerbaijan, Iran, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan, which participated in the Second Summit Meeting of the Economic Cooperation Organization, which was held in Istanbul, on 6-7 July 1993.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: English and Russian*]

During the summit in Istanbul, participating States condemned the continuation of the Armenian aggression against Azerbaijani territories and the escalation and widening of hostilities towards Agdam, Fizuli, Jabrail, Kubatli and Agdere.

Aggression of Armenia against Azerbaijan is in contravention with the principles and purposes of the Charter of the United Nations, international law, Human Rights Convention and the documents of the Conference on Security and Cooperation in Europe.

This most recent attack is taking place at a time when all concerned have approved a timetable within the Minsk peace process encompassing urgent steps for the implementation of Security Council resolution 822 (1993). It is now an established pattern for the Armenians to resume and escalate hostilities each time when a positive step is taken within the peace process, thus creating serious doubts about their desire to reach a negotiated solution.

Reaffirming the principle of the inadmissibility of acquisition of territory by force and the non-use of force for gaining political advantages, the participating States call upon the international community to use its influence with Armenia to put an end to this aggression.

Member States participating in the second Economic Cooperation Organization summit held in Istanbul demand an immediate cessation of all hostilities and withdrawal of Armenian armed formations from all the occupied Azerbaijani territories and adherence to the timetable of urgent steps for the implementation of the resolution 822 (1993).

The participating States call upon Armenia to change its aggressive attitude and adopt a peaceful policy conducive to the establishment of stability and peace in the region.

DOCUMENT S/26070*

Letter dated 12 July 1993 from the representative of Albania to the Secretary-General

[*Original: English*]
[*12 July 1993*]

I have the honour to transmit herewith a copy of a letter dated 8 July 1993 from Mr. Alfred Serreqi, Minister for Foreign Affairs of the Republic of Albania, to Mrs. Margaretha af Ugglas, Minister for Foreign Affairs of Sweden and Chairman-in-Office of the Council of Ministers of the Conference on Security and Cooperation in Europe.

I should be grateful if you would have the text circulated as an official document of the General Assembly and of the Security Council.

(Signed) Thanas SHKURTI
Permanent Representative
of Albania
to the United Nations

TEXT OF THE LETTER

The deep concern of the Government of my country at the alarming situation created after the refusal by the Belgrade authorities to extend the mandate of the long duration missions of the Conference on Security and Cooperation in Europe (CSCE) to Kosovo, Sandzak and Vojvodina is the reason I am addressing this letter to you.

I fully share your opinion that the decision of the Government of Serbia not to extend the Memorandum of Understanding for the CSCE mission is to be deplored. Such a decision creates open possibilities for the escalation of dangerous situations and instability; moreover, it demonstrates once again the lack of good will and the war-mongering aims of the Belgrade authorities.

Our deep concern stems from the course of tragic events and killings, provocative incidents, maltreatment and general isolation of which the Albanian population in Kosovo has been a target. In the opinion of my Government, all these acts speak of a deliberate plan against the Albanian population. Thus, the sole international presence in Kosovo is being eliminated, which means that the terrorizing Serb policy of ethnic cleansing will no longer have any witnesses.

The absence of preventive missions in Kosovo makes imminent the danger for the spill-over of the conflict. It would be in the interest not only of the neighbouring countries but of all of Europe that the vacuum already created by such a decision be avoided, so that the international community can keep under control and prevent the conflict. In this connection, I would like to repeat the request of the Government of Albania that you, in the context of your relations with the Secretary-General of the United Nations, consider the possibility of a United Nations presence in Kosovo.

Albania was one of the first countries that asked for such missions to be sent because it was convinced that they have an essential role to play by preventing Serbs from further escalating the ultimate suppression of Albanians there and by restraining uncontrolled Serb violence. It is to be noted with satisfaction that such conclusions were reached in the meetings of the senior officials of the CSCE as well as in the meeting of the CSCE Council in Stockholm, which unanimously supported the activities of the missions, judging them to be effective in coping with and reporting on the grave situations in the region. Being aware of the effectiveness of these missions, the CSCE has demanded the extension of their mandate and an increase in their number. My Government has evaluated this as a reasonable demand and has not spared its efforts to this end.

The opinion of my Government is that the presence of the CSCE missions in Kosovo, Sandjak and Vojvodina must not be considered as a concession that Belgrade is making to the CSCE, but on the contrary, it constitutes assistance of the international community to overcome the crisis and avoid an unprecedented blood-bath and genocide.

In expressing my gratitude for your personal commitment for finding a solution to this issue, I would like to voice my strong support for the recent message you conveyed to the Belgrade authorities, hoping that it will contribute to the renewal of the missions' mandate.

The continuous aggravation of the situation in Kosovo and the recent decision of Belgrade to hinder the extension of the mandate of the missions, create new circumstances which make necessary the maximum and urgent intensification of your efforts in the CSCE and other international forums, generating in this way all the respective mechanisms in order to exert the strongest international pressure on Serbia to change its decision.

DOCUMENT S/26072

Letter dated 11 July 1993 from the representative of Iraq to the President of the Security Council

[*Original: Arabic*]
[*13 July 1993*]

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 11 July 1993 from Mr. Mohammed Said al-Sahaf, Minister for Foreign Affairs of Iraq, which concerns the conduct of the inspection team UNSCOM 60 and a plan for launching a further attack against Iraq.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative
of Iraq
to the United Nations

Letter dated 11 July 1993 from the Minister for Foreign Affairs of Iraq to the President of the Security Council

The inspection team UNSCOM 60 arrived in Baghdad during the afternoon of Saturday, 10 July 1993, with the assigned task, as described by the Executive Chairman of the Special Commission, Mr. Rolf Ekeus, to the New York media before the team's departure for Iraq, of sealing two sites for testing non-prohibited missiles, namely the sites of Al-Yawm al-Azim and Al-Rafah, although the equipment earlier present on those sites had been dismantled and moved elsewhere.

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* Circulated under the double symbol A/48/257-S/26070.

On Saturday evening, the head of the inspection team, Mr. Mark Silver, spoke to the head of the Iraqi side, General Amer Muhammad Rashid, about the mission entrusted to the team and General Amer stated the Iraqi position, which can be summarized as follows:

1. Al-Yawm al-Azim is a site for testing solid-fuel missiles with a range of under 150 kilometres, which are authorized under Security Council resolution 687 (1991). Moreover, the site was established in 1992 with the Special Commission's approval and inspection teams have made repeated visits to it. Al-Rafah is a site used to test short-range, liquid-fuel missile reactors. Its maintenance and continued use have therefore been authorized by the Special Commission.

2. The Special Commission and the International Atomic Energy Agency are authorized to place seals only on equipment which had been used for activities subsequently prohibited under Security Council resolution 687 (1991). The use of the equipment thus sealed will continue to be prohibited until such time as agreement is reached on the future monitoring measures which are currently the subject of technical and political discussions. But the request to seal the equipment on test sites for authorized missiles falls outside this framework and is totally unjustified. It creates a dangerous precedent which could be invoked by some to extend these prohibitions in order to paralyse Iraqi industry for political purposes alien to resolution 687 (1991).

3. Since Iraq fears the launching of a further United States attack against its territory, the equipment installed on the two sites mentioned above has been dismantled and moved elsewhere, as a preventive measure. Missile inspection team UNSCOM 57 and nuclear inspection team UNSCOM 20 were present when the equipment from other plants and sites was evacuated, also as a preventive measure.

4. Inspection team UNSCOM 60 can inspect the dismantled equipment at the places it has been moved to and can verify that it has not been used. We have no objection to transporting the equipment to other places where the inspection team can inspect it more readily and satisfy itself that it has not been put to use at any time during the crisis.

5. Iraq reserves the right to restore the dismantled equipment to the sites of origin once the crisis is over and to use the equipment on the terms specified in paragraph 1 above. The inspection teams could then come to the sites in question to satisfy themselves that the above-mentioned terms are being complied with, as they did earlier, without there being any need to seal the equipment or install cameras. We wish to reserve this right because we are anxious to avoid any subsequent disputes with the Special Commission, which itself recognizes that we have never used or intended to use the equipment from the two above-mentioned sites for prohibited purposes.

After hearing the clear and detailed explanations from the Iraqi side, which stated that Iraq was ready to transfer the equipment to other sites to be agreed upon in advance, the head of the inspection team asked to be given time to refer the matter to the Executive Chairman of the Special Commission, whose reply he would then transmit to us.

The same day in the evening, the head of the inspection team, before informing us of the reply of the Executive Chairman of the Special Commission to our proposals, asked for an inspection of the two sites in question on the morning of Sunday, 11 July.

The Iraqi side made all the necessary arrangements to enable the team to visit the two sites in accordance with the provisions of resolution 687 (1991). During the visit to Al-Rafah site, the head of the inspection team began to cordon off the site and to attempt to seal it. He behaved in a provocative manner, holding out a tape-recorder microphone to those in charge of the Iraqi team, who were accompanying him, and asking them whether they forbade him to seal the site. The members of the Iraqi team replied calmly that Iraq was awaiting the Special Commission's reply to its proposal and that, if the latter was accepted, the Special Commission's objectives could be realized without any need for seals.

Following this exchange, the head of the inspection team spoke by telephone with his supervisor in New York and said that he had been instructed to leave Iraq.

It seems evident that the inspection team UNSCOM 60 deliberately attempted by subterfuge to create a climate conducive to the launching of a further attack against Iraq, on the pretext that Iraq was not complying with resolution 687 (1991) and was obstructing the work of the inspection team.

Iraq's attitude is based on resolution 687 (1991). Moreover, the proposals which the Iraqi authorities have submitted to the head of the inspection team demonstrate beyond the shadow of a doubt that Iraq does not desire or intend to contravene the resolutions of the Security Council and that, on the contrary, it is endeavouring by means of specific proposals to meet the Special Commission's requirements, in accordance with the provisions of resolution 687 (1991).

Iraq has complied with the provisions of resolution 687 (1991) and has collaborated in good faith with the Security Council, the Special Commission and the International Atomic Energy Agency to ensure that those provisions are applied. It has also emphasized its sincere desire to settle all outstanding matters objectively and constructively on the basis of the rules of international law and the provisions of the Charter of the United Nations.

In my letter of 30 May 1993 to the President of the Security Council, I urged that there should be an objective assessment, made in a professional, technical and legal manner, of the extent of Iraq's implementation of resolution 687 (1991), with a view to the discharge by the Council of its obligations towards Iraq under paragraphs 21 and 22 of the resolution.

In a letter dated 20 June 1993 addressed to the President of the Security Council [*see S/25979*], I said that the Special Commission, which had in actual fact completed supervising the implementation of all the fundamental parts of section C of resolution 687 (1991), wished to begin implementing the provisions of resolution 715 (1991) without having committed itself to informing the Council that Iraq's compliance with the provisions of section C of resolution 687 (1991) made it incumbent upon the Council to begin considering in earnest the implementation of paragraph 22 of resolution 687 (1991), i.e., lifting the economic sanctions imposed upon Iraq.

This is the main issue. Efforts to fabricate a climate of crisis on the pretext of sealing the sites of Al-Yawm al-Azim and Al-Rafah are simply the extension of a series of attempts aimed at muddying the waters and distorting Iraq's position so as to prevent the Security Council from considering the objective and constructive proposals which Iraq has submitted and from beginning to undertake, pursuant to paragraph 22 of resolution 687 (1991), steps towards the lifting of the three-year-old economic embargo.

Iraq invites the Security Council to shoulder the responsibilities that fall to it under the Charter and to prevent the launching of a further military attack against Iraqi territory.

(*Signed*) Mohammed Said AL-SAHAF
Minister for Foreign Affairs of Iraq

DOCUMENT S/26074

Letter dated 12 July 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*13 July 1993*]

I have the honour to inform you about the forthcoming steps which the Government of the Republic of Croatia is taking, in accordance with Security Council resolution 847 (1993), concerning the establishment of uninterrupted traffic across the Maslenica straits.

It goes without saying that a bridge across the Maslenica straits is of the utmost strategic importance for the Republic of Croatia. As Croatia has already emphasized in several letters to the Secretary-General and the President of the Security Council, the bridge is the crucial traffic link between the southern part of the Croatian Adriatic coast and the rest of the country. The reopening of the bridge (destroyed during Serbian aggression against the Republic of Croatia in 1991) will benefit not only 1 million people living in southern Croatia, but will also increasingly facilitate the delivery of humanitarian aid to the neighbouring Republic of Bosnia and Herzegovina (especially in the light of the agreement on the passage of humanitarian convoys, signed at Makarska 10 July 1993).

It is the strong opinion of the Croatian Government that the bridge must be reopened without delay, as soon as it is technically possible. The preparatory construction work on the bridge site has been successfully accomplished, including the building of the approach roads to the position of the envisioned pontoon bridge. On Monday, 12 July, Croatian engineers started positioning the pontoon bridge with the goal of opening the bridge to traffic on Sunday, 18 July. Serbian insurgents have tried to interrupt the construction work on the bridge site on several occasions, and on Monday, 12 July, they shelled the area of the Maslenica straits. In spite of their threats, the Republic of Croatia remains determined to continue the work on the pontoon bridge and to open it as scheduled. Any attempt to stop this process will be considered an act of aggression and contrary to the spirit of resolution 847 (1993).

In addition to reopening the Maslenica bridge, Croatia is determined to open the nearby Zemunik airport to civilian traffic. Zemunik airport should serve as an important link between the Zadar region and the rest of Croatia. It could also be a major base for humanitarian aid delivery. We consider the opening of the Maslenica bridge, as well as of the Zemunik airport, to be essential steps in the normalization of living conditions in the Republic of Croatia designed to facilitate its post-war recovery.

The Republic of Croatia remains committed to the relevant Security Council resolutions and is willing to participate actively in their implementation. In this regard, we must emphasize the importance of all the Security Council documents concerning the territory of the Republic of Croatia, including resolution 802 (1993) that, *inter alia*, calls for the demobilization of the Serbian forces in the United Nations Protected Areas.

My Government welcomes the Security Council's commitment to ensure respect for the sovereignty and territorial integrity of the Republic of Croatia, as inscribed in resolution 847 (1993), as well as stressed in resolutions 815 (1993) and 820 (1993). In this regard, Croatia expects that the Security Council and the United Nations Protection Force will take the steps necessary to ensure that the reopening of the Maslenica bridge will not be interrupted. We shall gratefully welcome such help, which will serve as an indicator of how determined the United Nations is to fulfil the provisions of fundamental Security Council resolutions regarding the Republic of Croatia.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

DOCUMENT S/26075

Letter dated 13 July 1993 from the representative of Ukraine to the President of the Security Council

[*Original: English*]
[*13 July 1993*]

I have the honour to transmit herewith the text of the statement by the President of Ukraine, Leonid Kravchuk, of 9 July 1993 on the decision of the Supreme Soviet (Parliament) of Russia by which the Ukrainian city of Sevastopol was proclaimed as belonging to Russia.

I would be grateful if you would have the text of the present statement circulated as a document of the Security Council.

(*Signed*) Victor H. BATIOUK
Permanent Representative of Ukraine
to the United Nations

TEXT OF THE STATEMENT

It has become known that on 9 July 1993 the Supreme Soviet of Russia approved a decision by which the Ukrainian city of Sevastopol was proclaimed as belonging to Russia. The decision, *inter alia*, claims "the Russian status" of the city of Sevastopol and alleges that it is "the main base of the single Black Sea Fleet".

The approved decision can be qualified only as a flagrant violation of the universally recognized norms and principles of international law. In particular it is an open interference in the internal affairs of Ukraine, an infringement of its territorial integrity and the inviolability of its borders. This decision bluntly violates the international obligations resulting from Russia's membership in the United Nations, its participation in the Conference on Security and Cooperation in Europe, and bilateral Ukrainian-Russian agreements, particularly the Ukrainian-Russian Treaty of 19 November 1990 which was ratified by the Russian Parliament with the same composition.

The resolution of the Supreme Soviet of Russia is a continuation of blunt anti-Ukrainian policy, implemented lately by Russia's Parliament, the destructive character of which has been often noted by Ukraine. We are deeply astonished by the readiness of some Russian legislators for maximum complication and aggravation of Ukrainian-Russian relations, in the evolution of which some positive tendencies have emerged lately, especially after the meeting of the Presidents and Prime Ministers of the two States. We do not equate this decision by the Russian Parliament with the will of the Russian people and we hope that Russians who stand for peace and friendly relations with Ukraine do not support the decision of their Parliament. By this decision Russia's Supreme Soviet tries to provoke conflict in the territory of Crimea, to insert tension and strife into relations between Ukraine and Russia.

Neglect of the universally recognized norms and principles of international law, the attempts of certain political forces in Russia, which cannot give up recurrences of imperial thinking in policy towards Ukraine and other countries - former republics of the Union of Soviet Socialist Republics - to bring seeds of enmity among nations, to violate peace and stability in the region, must be unequivocally condemned by the international community. There should be no place for the "law of the jungle" in today's international relations.

Ukraine, which has proclaimed its wish to live in peace, accord and mutual respect with all countries of the world, first and foremost with its neighbours, resolutely rebuffs any territorial claims and appeals to the world community, the Security Council, the Conference on Security and Cooperation in Europe, the North Atlantic Cooperation Council and other influential international organizations to use all their authority to stop Russian legislators from wicked decisions, which may lead to the abyss not only brotherly nations, but also the peace and security of the entire world.

Ukraine officially declares that the decision unilaterally approved by the Russian Parliament bears no legal consequences for Ukraine. I hope that the Supreme Soviet of Russia will cancel this illegal enactment.

I believe that despite the decision, which has no legal foundation, Ukrainian-Russian relations will further develop in the interests of both peoples.

DOCUMENT S/26076

Letter dated 13 July 1993 from the representative of Uganda to the President of the Security Council

[*Original: English*]
[*13 July 1993*]

In my capacity as Chairman of the African Group at the United Nations, I have the honour to forward herewith a copy of the Organization of African States Heads of State and Government declaration on Angola, adopted during its 29th ordinary session held at Cairo from 28 to 30 June 1993.

I would be grateful to you if you would have this document circulated as a document of the Security Council.

(*Signed*) Perezi K. KAMUNANWIRE
Permanent Representative of Uganda
to the United Nations

DECLARATION OF THE OAU HEADS OF STATE AND GOVERNMENT ON THE SITUATION IN ANGOLA

[AHG/Decl.2 (XXIX) Rev.1]

We, the Heads of State and Government of the Organization of African Unity, meeting in our twenty-ninth ordinary session, in Cairo, Egypt, from 28 to 30 June 1993,

Having considered the critical situation in Angola resulting from UNITA's refusal to accept the results of the democratic elections held in that country in September 1992,

Having listened attentively to the part of the report of the Secretary- General of the Organization of African Unity concerning Angola and the information provided by the Head of State of Angola on the developments in his country,

Recalling the peace initiatives taken by the Angolan Government and the international community, as well as the decisions of the OAU Ad Hoc Committee on Southern Africa, the frontline States, SADC, PTA Summits and the relevant United Nations resolutions, namely Security Council resolutions 804 (1993), 811 (1993) and 834 (1993),

Desirous of contributing to a quick re-establishment of peace in Angola, declares the following:

1. When the Government of Angola and UNITA signed the Bicesse Agreeement on 31 May 1991, in Portugal, the whole world, particularly Africa, commended this great event which they thought could bring to the Angolan people the long-desired peace, national reconciliation and democracy;

2. The Angolan people demonstrated their adherence to these noble objectives by participating enthusiastically and in an orderly manner in the legislative and presidential elections of 29 and 30 September 1992, considered free and fair by the international community;

3. Owing to UNITA's refusal to accept the electoral verdict and simultaneously with the launching of armed actions against the defenceless population, and democratically elected institutions, the military occupation of villages, municipalities and communities, the indiscriminate destruction of economic and social infrastructures of vital importance to the life of the populations, the Angolan people feel now that the aspiration for peace, freedom and democracy have been betrayed and now confronted with a man-made catastrophic situation, resulting from the increase in bellicose actions carried out by UNITA's miltary wing;

4. Thus, we renew our strong commitment to the preservation of unity and territorial integrity of Angola and reaffirm our full support for the efforts deployed by the international observers of the troika for the Angola peace process; we also encourage them to proceed with their search for a peaceful solution to the conflict;

5. We strongly condemn UNITA for its repeated massacres of civilian populations and destruction of social infrastructures; we recommend that the United Nations Security Council impose sanctions and take concrete measures, including the closure of UNITA's representative offices abroad so as to neutralize its war-like actions and force it to accept dialogue as the only way to achieve peace;

6. We urgently call on the governments of Angola's neighbouring countries not to allow the use of their territories and space as a springboard or headquarters to support the actions carried out by its military wing in Angolan territory;

7. We commend the Government of Côte d'Ivoire and in particular His Excellency President Houphouët-Boigny, for the contribution he has been making towards the establishment of peace in Angola and encourage him to continue exerting all his influence on UNITA so that Mr. Savimbi may adopt indeed a constructive stand of peace;

8. We also praise the Angola Government for its continued readiness to maintain dialogue with UNITA, as well as its good will demonstrated in the search for a peaceful settlement of the conflict. In this regard, we strongly call on UNITA to resume as soon as possible the peace talks with the Government, with a view to establishing a definitive ceasefire and ensure the implementation of the Peace Agreement;

9. We call on the OAU Member States and the international community to provide urgent humanitarian aid in order to mitigate the sufferings of the people in this country and urge UNITA not to impede or hinder the delivery of humanitarian assistance to the civilian population affected by the war;

10. We express our satisfaction with the recognition of the Angolan Government by the present American Administration and

encourage the Administration to proceed with its efforts to contribute, in collaboration with the Angolan Government, to the establishment of peace in Angola and to safeguard democracy on the continent.

DOCUMENT S/26078*

Letter dated 13 July 1993 from the observer of Palestine to the Secretary-General

[*Original: English*]
[*13 July 1993*]

Following up on my letter, dated 6 July 1993 [*S/26045*], concerning the report by the human rights group Middle East Watch, which affirmed that the Israeli army, through the use of undercover units, is pursuing a policy of summary executions of Palestinians in the occupied Palestinian territory, I should like to bring to your attention the findings of Amnesty International in its 1993 annual report on human rights. Amnesty International reported that, among the many human rights violations committed by Israel, "at least 120 Palestinians were shot dead by Israeli forces, often in circumstances suggesting extrajudicial executions or other unjustifiable killings". The figure of 120 for the total amount of those killed by undercover units represents one of the more conservative tallies prepared by human rights organizations. Some groups, such as Al-Haq and Palestine Human Rights Campaign, have arrived at figures as high as 160 killings, with many of the victims 16 years of age or younger.

This pattern of undercover killings of Palestinians has, according to Middle East Watch, also been accompanied by the use of a new tactic against "wanted" Palestinian activists, namely that of "sealing off and emptying neighbourhoods in which suspects are thought to be hiding and, if they fail to come out and surrender, attacking the suspected hideout from a distance, using rockets, launched grenades, machine guns and other heavy artillery". Such actions have caused the destruction and damage of over 100 homes and have left hundreds of Palestinians homeless.

Amnesty International's report details several other human rights violations committed by Israel against the Palestinians, which include the systematic torture and ill-treatment of Palestinians under interrogation, the detention of Palestinians without charge or trial and the deportation of Palestinians from the occupied territory. According to the report, "Palestinian detainees continued to be systematically tortured or ill-treated mostly during interrogation. Methods included beatings, hooding with dirty sacks, sleep deprivation, and confinement in small dark cells known as 'closets' or, when cold, 'refrigerators'". It has been reported that three Palestinians died in detention, and a fourth Palestinian died shortly after interrogation. Additionally, with regard to the Israeli practice of deportation, Amnesty International called for the immediate return of the Palestinian deported to southern Lebanon in December 1992.

Israel's widespread policies and practices of continued repression, administrative detention, torture, killing, home demolition and deportation are all gross violations of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[6] which applies to all of the Palestinian territory occupied by Israel in 1967, including Jerusalem. We, therefore, once again reiterate our call for the Security Council to carry out the required measures to bring a halt to these violations and illegal activities and to provide international protection for the Palestinian people living under occupation, in accordance with resolution 681 (1990) and as expressed in the report of the Secretary-General of 25 January 1993 to the Council [*S/25149*].

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

DOCUMENT S/26079

Letter dated 8 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*14 July 1993*]

It is with deep concern that I inform you of recent developments in the Armenian-Azerbaijani conflict.

At the present time, the Republic of Armenia is engaging in new hostilities and broadening the scale of its aggression against Azerbaijan in defiance of resolution 822 (1993).

On 7 July 1993 at 1800 hours local time, Armenian troops began a new offensive to the west and south of the town of Agdam. Bringing their reserve troops into combat, they captured three southern suburbs of Agdam - Shelli, Gasymly and Saybaly - and occupied a number of positions in the village of Chukhurmekhle west of Agdam. The Armenian offensive against Agdam continued all night and, by the morning of 8 July, advanced Armenian divisions were 5 kilometres south and 3 kilometres west of the town. From those same directions, Agdam and its surrounding villages are being subjected to continuous intensive rocket-artillery shelling. Armenian troops were also active to the north of Agdam.

Last night, Armenian troops continued to concentrate around another Azerbaijani town - Fizuli. Armenian troops still control seven villages in Fizuli district captured during the offensive of 5 July. During the night, the town of Fizuli and villages of neighbouring Djebrail district, which borders on Iran, were subjected to heavy artillery shelling.

As of today, the Armenian troops have occupied 20 villages of Agdam district: Abdal, Gyulably, Djinli, Aliagaly, Alimadatly, Mollalar, Galaychylar, Boyakhmedli, Papravend, Kengerli, Shakhbulag, Chuvlu, Bagbanlar, Ismailbeyli, Saybali, Marzili, Gasymly, Shelli, Khatyrderbend and Kyurdlar. In Fizuli district they have occupied 14 villages: Gogd, Yukhary Veysally, Gadjar, Divanallar, Gevshadly, Derdlyar, Chimen, Gyuneshli, Garadgly, Yukhary Gyuzlek, Gerazylly, Khatynbulag, Arysh and Khalafsha.

During the night of 8 July, after a relatively brief respite, Armenian armed forces recommenced shelling from their territory of the settlement of Sadarak in Nakhichevan district of Azerbaijan.

All these incidents demonstrate that the Republic of Armenia has not renounced its aggressive intentions and is using force and the tactics of *fait accompli* to acquire territory, which poses a serious threat to security in the region.

We call upon the Security Council to condemn Armenia's aggression against Azerbaijan and hold it accountable for its actions.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

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* Circulated under the double symbol A/48/263-S/26078.

DOCUMENT S/26081

Letter dated 14 July 1993 from the representative of Uganda to the President of the Security Council

[*Original: English*]
[*14 July 1993*]

In my capacity as Chairman of the African Group at the United Nations, and further to my letter of 13 July 1993 [*S/26076*], I have the honour to request that the attached resolution on the situation in Angola, adopted by the Council of Ministers of the Organization of African Unity, at its Fifty-eighth Ordinary Session held in Cairo from 21 to 26 June 1993, be circulated as a document of the Security Council.

(*Signed*) Perezi K. KAMUNANWIRE
Permanent Representative of Uganda
to the United Nations

RESOLUTION ON THE SITUATION IN ANGOLA

[CM/Res.1451 (LVII)]

The Council of Ministers of the Organization of African Unity, meeting in its Fifty-eighth Ordinary Session in Cairo, Egypt, from 21 to 26 June 1993,

Recalling the elections of 29 and 30 September 1992, considered to be free and fair by the United Nations, the OAU and other observers,

Recalling further the various resolutions on the situation in Angola, mainly adopted by the OAU Council of Ministers, OAU Ad hoc Committee on Southern Africa, the Summits of the Front-line States, the Southern African Development Community (SADC) and the Preferential Trade Area for Eastern and Southern Africa (PTA),

Recalling also, in particular resolutions 804 (1993), 811 (1993) and 834 (1993) of the United Nations Security Council,

Having carefully followed the information furnished to the Council by the representative of the Angolan Government on the development of the situation in the country,

Considering the efforts made by the Government of the Côte d'Ivoire towards the restoration of peace,

Deeply concerned with the continued deterioration of the political and military situation and with the catastrophic conditions faced by the population due to the lack of humanitarian support, caused by the resumption of war by UNITA's army,

Seriously concerned by the failure of the negotiations held in Abidjan between the Angolan Government and UNITA, under United Nations auspices, motivated by UNITA's refusal to sign the Abidjan protocol, thus making it difficult to implement a cease-fire process,

Reaffirming the imperative need of all countries to respect the territorial integrity and observe the inviolability of the borders of the Angolan State and the principle of non-interference in its internal affairs:

1. *Condemns* UNITA for rejecting the results of the 29 and 30 September 1992 elections and urges it to comply with the "Peace Accords";

2. *Strongly condemns* UNITA for its escalation of military action and for the continuing occupation of towns and villages, which endangers the peace process and declares that this occupation constitutes a serious violation of the "peace accords";

3. *Strongly condemns* UNITA and holds it accountable for the continuing massacre of the defenceless population and the destruction of important economic infrastructures;

4. *Demands* that UNITA immediately refrain from these actions and unconditionally withdraw its troops from the occupied areas;

5. *Strongly appeals* to UNITA to immediately return to the interrupted peace talks with the Angolan Government, to sign a durable cease-fire agreement in order to ensure the implementation of the "Peace Accords";

6. *Notes with satisfaction* the decision of the United States of America to recognize the legitimate Government of Angola and to establish diplomatic relations with the Government of Angola;

7. *Commends* the readiness of the Angolan Government to maintain a dialogue with UNITA in the search for a peaceful solution to the conflict;

8. *Also congratulates* the Government of Côte d'Ivoire and, in particular, His Excellency President Houphouet-Boigny on the contributions made to the cause of restoring peace in Angola and encourages the President to pursue the already initiated action by making UNITA assume a constructive and peaceful posture;

9. *Reaffirms* its full support for the efforts deployed by the United Nations and the international observers in the peace process in Angola and encourages them to continue to work towards the search for a peaceful solution to the conflict;

10. *Commends* the efforts made by the Angolan Government to ensure the functioning and strengthening of the democratic institutions derived from the multiparty elections of September 1992;

11. *Appeals* to African States, particularly those supporting UNITA, to put an immediate and effective end to military and other forms of support to the UNITA military wing;

12. *Appeals* to member States and the international community to provide urgent and adequate humanitarian assistance to the Angolan Government, to alleviate the suffering of the people;

13. *Urgently appeals* to member States and the international community to provide the Angolan Government with total political, diplomatic and material support in order to strengthen its capacity to defend its sovereignty, territorial integrity and its institutions, as well as to safeguard democracy and restore peace;

14. *Reiterates* its pressing need to mobilize and sensitize the international community, particularly countries supporting UNITA, to ensure the cessation of hostilities in Angola with the view to attaining a political and peaceful solution to the conflict;

15. *Requests* the Secretary-General to continue to monitor the situation and to submit a report to the next Council of Ministers on the developments in Angola.

DOCUMENT S/26082

Letter dated 14 July 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*15 July 1993*]

I should like to refer to Security Council resolutions 802 (1993) and 847 (1993). I have met with my Special Representative, Mr Thorvald Stoltenberg, and have come to the conclusion that developments at the Maslenica bridge and the Zemunik airport deserve the urgent attention of the Council.

In a letter dated 13 July 1993, the National Security Director of the Government of Croatia, Mr Hrvoje Sarinic, informed the Force Commander of the United Nations Protection Force (UNPROFOR), General Jean Cot, of his Government's intention to reopen the Maslenica bridge and the Zemunik airport on 18 July 1993. In this context, he requested UNPROFOR to take all necessary measures to "ensure that the event will pass without incident".

The local Serb authorities and the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) have made it clear to UNPROFOR that they do not consider the planned event to be in conformity with resolutions 802 (1993) and 847 (1993) and that they perceive the planned events as a provocation.

Following consultations with my Special Representative, I have instructed the Force Commander of UNPROFOR immediately to advise the Croatian authorities of the need for all concerned to act in a manner that would be conducive to the maintenance of peace. The Force Commander has also pointed out to Mr Sarinic that the Security Council in its resolutions 802 (1993) and 847 (1993) has specifically called for the Croatian armed forces to withdraw from the areas concerned and that the event planned for 18 July is not in keeping with the resolutions of the Council.

Moreover, the Force Commander has reminded the Croatian Government that UNPROFOR had been excluded by the Croatian authorities from entering the Maslenica area and, therefore, was hardly in a position to ensure that the reopening takes place without incident.

The Council may wish to consider the danger posed by this situation and decide upon appropriate action.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26083

Letter dated 14 July 1993 from the representative of Lebanon to the Secretary-General

[*Original: English*]
[*15 July 1993*]

I have the honour to inform you that the Lebanese Government has decided to request the Security Council to extend the mandate of the United Nations Interim Force in Lebanon (UNIFIL), which expires on 31 July 1993, for a further period of six months, on the basis of the provisions of its resolutions 425 (1978), 426 (1978), 501 (1982), 508 (1982) and 509 (1982) and of all its other relevant resolutions and decisions.

The Government of Lebanon is pleased to report that, since the last renewal of UNIFIL, major positive developments have accelerated the establishment of national peace, stability and security. The Lebanese Army and internal security forces deployed throughout the country, with the exception of the Israeli-occupied area, are constantly being upgraded. Law and order are rigorously enforced and travel through the country is safe and unrestricted. These achievements have allowed the Government to focus on its reconstruction and development plans. The World Bank has approved a $175 million loan to Lebanon and many Governments and international and private financial institutions have committed themselves to the rehabilitation process. Concurrently, the Government of Lebanon is exerting great efforts to resettle thousands of civilians displaced by civil strife, two Israeli invasions and the sustained occupation of the south.

In addition, my Government is pleased to report that the command of UNIFIL and the Lebanese Army continue to coordinate in perfect harmony with the goal of deploying the latter throughout the south of the country up to its internationally recognized boundaries.

Despite the participation of Lebanon and Israel in the ongoing bilateral peace negotiations commenced in Madrid 20 months ago, Israel is continuing to perpetuate its occupation of the south irrespective of the significant achievements made by the people and Government of Lebanon to consolidate national unity and central authority. Israel's policies and practices regarding Lebanon have not changed and its military and proxy militia have continued unabated their brutal and arbitrary war against Lebanon's sovereignty, citizens and property.

The daily violence in southern Lebanon is the result of the continued Israeli occupation, which is against the will of the Lebanese people and the root of all problems between the two countries. As long as Israel continues its occupation, hostilities and bloodshed on Lebanese national soil will persist. As sanctioned by the Charter of the United Nations, the people of Lebanon will exercise their legal right of individual and collective resistance against occupation until Israel withdraws forthwith its forces from all Lebanese territory, as stated in resolution 425 (1978).

Lebanon is wholly committed to the peace process and to the achievement of a comprehensive, just and lasting peace in the region. However, in spite of the ongoing negotiations, Israel refuses to implement resolution 425 (1978) and all other relevant resolutions. The latest of these is resolution 799 (1992), calling for the immediate repatriation of 415 Palestinian civilians expelled to Lebanon in violation of the Charter and the Fourth Geneva Convention of 1949."

The responsibility for the implementation of Security Council resolutions fall on the Council and, in particular, on its five permanent members. In view of the lack of any tangible progress in the peace talks and the threat Israel's continued intransigence poses to this process, it remains incumbent upon the Council to demonstrate that its resolutions are respected and implemented. Israel, as a State Member of the United Nations, cannot remain above the law and the Council must take action to guarantee the prompt implementation of its resolution 425 (1978) and the galvanization of its mechanism set out in resolution 426 (1978). This will enable the Lebanese Government to extend its authority over the entire south of the country up to its internationally recognized boundaries.

In this context, UNIFIL represents a valuable international commitment to Lebanon's sovereignty and civilian population in the occupied south. Its much-needed support and humanitarian assistance are playing an important role in the daily life of the civilian population. However, this assistance cannot be a substitute for the fulfilment of UNIFIL's original mandate as stipulated in resolution 425 (1978), which is to ensure the withdrawal of Israeli forces from Lebanon and to assist the Government of Lebanon in re-establishing its legitimate and effective authority in the area, through its Army and internal security forces.

The Lebanese Government takes this opportunity to pay tribute to the UNIFIL command, troops and administrators, and to the troop-contributing countries for their efforts and sacrifices in serving the cause of peace. It also expresses its deep appreciation for the tireless endeavours of the Secretary-General and his assistants, which are instrumental in the constructive presence and mission of UNIFIL in southern Lebanon.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Khalil MAKKAWI
Permanent Representative
of Lebanon
to the United Nations

DOCUMENT S/26086*

Letter dated 13 July 1993 from the representatives of Argentina and the United Kingdom of Great Britain and Northern Ireland to the Secretary-General

[*Original: English and Spanish*]
[*15 July 1993*]

We have the honour to convey to you the text of the joint statement by the British and Argentine Governments issued in London and Buenos Aires on 12 July 1993.

We request that the letter be circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Emilio J. CARDENAS
Permanent Representative
of Argentina

(*Signed*) D. H. A. HANNAY
Permanent Representative of the
United Kingdom of Great Britain
and Northern Ireland

JOINT STATEMENT BY THE BRITISH AND ARGENTINE GOVERNMENTS

Taking into account the results of the seventh meeting of the British-Argentine Working Group on South Atlantic Affairs, held in London from 4 to 5 May 1993, the British and Argentine Governments have issued the present joint statement.

Both Governments agreed that the formula on sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands and the surrounding maritime areas, recorded in paragraph 2 of the joint statement of 19 October 1989 [*S/20915*] applies to this joint statement and its consequences.

Both Governments have agreed to send jointly the present statement to the Secretary-General of the United Nations for distribution as an official document of the General Assembly, under the agenda item "Question of the Falkland Islands (Malvinas)" and of the Security Council. The United Kingdom will transmit this joint statement to the Presidency and Commission of the European Community, and the Government of Argentina will do likewise to the Organization of American States.

Both Governments agreed:

1. To maintain in force the agreements in points II, III and IV of the joint statement issued in London and Buenos Aires on 25 September 1991 [*S/23164*].

2. To replace point I of the joint ststaement issued in London and Buenos Aires on 25 September 1991 by the following:

I. INTERIM RECIPROCAL INFORMATION AND CONSULTATION SYSTEM

Taking into account the increase of mutual confidence between the United Kingdom and the Argentine Republic, and in order to progress towards the achievement of a more normal situation in the South-west Atlantic, the System will consist of the following provisions:

1. *Direct communications link*

A. The direct communications link between the respective military authorities will be maintained - under the supervision of both Foreign Ministries - in order to ensure the exchange of information to allow adequate reciprocal knowledge of military activities in the South-west Atlantic.

B. The respective military authorities are:

a) British authority: Commander British Forces, Falkland Islands (Malvinas)

b) Argentine naval authority: Comandante del Area Naval Austral (Ushuia)

c) Argentine air authority: Jefe de la Novena Brigada Aerea (Comodoro Rivadavia).

C. The direct communication link between the respective authorities, which includes radio, telex transmissions and telephone facsimile, will continue to be manned on a 24-hour basis and will be tested weekly.

D. The communications plan between units and stations of the parties will be maintained, with the addition of an alternative telephone link. The military authorities may coordinate any necessary technical arrangements.

2. *Confidence-strengthening measures*

A. The parties will reciprocally provide, not less than 14 days in advance, written information, duly acknowledged, about movements of four or more naval or air units within 55 nautical miles of coasts.

B. Reciprocal notification of identity, intended track and purpose will be given, not less that 48 hours in advance, of naval combatant units that intend to approach closer to coasts than 15 nautical miles. These movements will require mutual agreement.

3. *Verification*

If questions arise concerning the application of the above confidence-strengthening measures, consultations will take place through the direct communications link. If disagreement should occur, the parties will have recourse to the diplomatic channel.

4. *Reciprocal visits*

Reciprocal visits to military bases and naval units may be agreed through the diplomatic channel.

5. *Application of international practice*

Naval and air units of the parties will observe the normal procedures to ensure safety when operating in proximity, in particular the provisions of the International Regulations for Preventing Collisions at Sea and the provisions of Annex VI of the Convention on International Civil Aviation of 1944.

In situations not specifically covered by this System, normal international practice will be applied on a reciprocal basis.

6. *Duration*

This system will be reviewed at a meeting of the British-Argentine Working Group on South Atlatic Affairs, which will take place within one year of the entry into force of this System, on a date to be agreed through the diplomatic channel.

London and Buenos Aires
12 July 1993

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* Circulated under the double symbol A/48/266-S/26086.

DOCUMENT S/26088

Letter dated 13 July 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*15 July 1993*]

By its resolution 845 (1993), regarding the settlement of the difference between Greece and the former Yugoslav Republic of Macedonia, the Security Council urged the parties to continue their efforts under the auspices of the Secretary-General to arrive at a speedy settlement of the remaining issues between them.

I have the honour to inform you that Mr. Cyrus Vance, the former Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, has accepted my request to continue his good offices to help the parties reach agreement. Mr. Vance will begin his assignment on 1 August 1993.

It is my hope that, as stated in resolution 845 (1993), it will be possible to resolve the difference before the commencement of the forty-eighth session of the General Assembly.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26090

Report of the Secretary-General pursuant to paragraph 7 of Security Council resolution 840 (1993)

[*Original: English*]
[*16 July 1993*]

1. By paragraph 7 of its resolution 840 (1993) of 15 June 1993, the Security Council requested me to report by the middle of July, including my recommendations on the possible role the United Nations and its agencies might play after the end of the mandate of the United Nations Transitional Authority in Cambodia (UNTAC) according to the Paris agreements [*S/23177, annex*].

2. The mandate of UNTAC, in accordance with the provision of resolution 745 (1992), extends for a period not to exceed 18 months until the end of the transitional period, that is, until the Constituent Assembly has drafted and approved a Constitution, transformed itself into a legislative assembly and created a new Cambodian Government. According to paragraph 1 of annex 3 to the Paris agreement, the Constituent Assembly is to perform these tasks within three months from the date of the election, which took place from 23 to 28 May 1993.

I. DEVELOPMENTS SINCE THE ELECTION

3. As described in my last report [*S/25913*], the election in Cambodia was conducted successfully, with 90 per cent of registered voters taking part in the election in a calm and peaceful atmosphere with minimum disruption. The United Nations, having declared each separate stage of the election process - the campaign, the polling and the counting of ballots - free and fair, endorsed the election results. After some initial dissent (see para. 5 below) the Cambodian political parties which had participated in the process also acknowledged acceptance of the results.

4. The duly elected Constituent Assembly began work on 14 June 1993. On 30 June, the Constituent Assembly elected its President and two Vice-Presidents, and adopted its Rules of Procedure. Two permanent committees were established: the Committee for Drafting the Constitution and the Committee on Rules of Procedure. The elaboration of a draft constitution is now proceeding. At the request of the Cambodian parties, UNTAC has provided logistical and operational assistance, as well as technical advice, to the Assembly.

5. Notwithstanding the successful holding of the election and the creation of a Constituent Assembly, the post-election period has not been without difficulties. The Party of the State of Cambodia (SOC) made numerous allegations of electoral irregularities and initially withheld recognition of the election results, citing those alleged irregularities, although every concrete allegation was promptly investigated by UNTAC. After the election, some SOC elements declared a short-lived "secession" in three eastern provinces which, however, collapsed after a few days. SOC has now accepted the results of the election. None the less, allegations will continue to be reviewed under the Electoral Advisory Committee established by my Special Representative.

6. The establishment of an Interim Joint Administration (Provisional National Government), with the guidance of His Royal Highness Prince Norodom Sihanouk, has proved to be a stabilizing mechanism in the Cambodian polity. This Administration, with Prince Sihanouk as the Head of State, provides for a cooperative framework between all parties which hold seats in the Constituent Assembly. On 1 July 1993, the Assembly met and gave a vote of confidence to the Interim Joint Administration and unanimously adopted the Programme of Action of the Provisional Government for the Coming Three Months. The composition of the Council of Ministers has been agreed, with His Royal Highness Prince Ranariddh of the Front uni national pour un Cambodge indépendant, neutre, pacifique et coopératif (FUNCINPEC) and Mr. Hun Sen of the Cambodian People's Party (CPP) as Co-Chairmen.

7. The Party of Democratic Kampuchea (PDK) has also declared that it will accept the outcome of the election. Although PDK is not a party to the Interim Joint Administration, tentative discussions have taken place between it and the parties participating in the Administration aimed at achieving national reconciliation. At the same time, low-level cease-fire violations and military activities, mainly involving the National Army of Democratic Kampuchea, have continued to occur.

8. The Interim Joint Administration, which will operate during the transitional period, though not foreseen under the Paris agreements, should be viewed as an attempt to fuse three of the existing administrative structures, and as a manifestation of the common desire for peace, stability and national reconciliation. At the same time, UNTAC, as provided for in the Paris agreements, continues to cooperate with the Supreme National Council (SNC) as the unique legitimate body and source of authority in Cambodia throughout the transitional period.

II. UNTAC WITHDRAWAL PLAN

9. Detailed plans have been drawn up for the orderly withdrawal of the military, civilian police and other components of UNTAC, taking due account of the tasks that remain for each of them during the remainder of the transitional period. Due to security considerations, the timing of the withdrawal of the civilian staff from the district and provincial levels is closely coordinated with the military withdrawal plan. All proposals are premised on the assumption that the work of the Constituent Assembly in drafting and adopting the constitution, and the subsequent establishment of a new Cambodian Government, will be expeditiously completed.

10. Civilian withdrawal is easier than military withdrawal for several reasons. In some cases, the civilian tasks have already been completed: the whole of the repatriation component and the great majority of the staff of the electoral component, for example, have already been withdrawn. Secondly, civilian staff in the countryside

are much fewer in number than the military, and can therefore be withdrawn on an individual basis in a flexible manner.

A. *Military component*

11. The detailed plan, including timetables, drawn up for the withdrawal of the military component is designed to be implemented with maximum flexibility. Since the extraction will be taking place at the height of the rainy season over severely degraded infrastructure, amid a still uncertain military and security situation, it may be necessary to compress, expand, or otherwise modify the withdrawal plan in response to changing conditions on the ground.

12. The plan is divided into three phases. Phase I - planning and preparation - ends on 31 July 1993. During this period, military personnel of the first group of battalions to be withdrawn will commence physical preparations within their sectors. The two succeeding phases are each, in turn, divided into stages. In phase II (1-31 August, stages 1 to 5), as each infantry battalion successively withdraws, along with the related field hospitals, engineering and other units, the infantry battalion in the neighbouring sector will redeploy to cover the vacated sector. In phase III (1 September-15 November, stages 6 to 10), the remaining UNTAC elements are successively to withdraw completely from the country. The withdrawal will be staged via Thailand, Sihanoukville or Phnom Penh. In addition, the Socialist Republic of Viet Nam has been approached concerning permission to use its territory for the purposes of withdrawal.

13. The first three stages of phase II will take place concurrently starting on 1 August 1993. During that period, the Uruguayan battalion and an Indian forward field hospital will withdraw from the north-eastern provinces of Stung Treng, Rattanakiri, Mondulkiri and Kratie, the Bulgarian battalion will withdraw from the south-central provinces of Kompong Speu and Kandal, and the Tunisian battalion will withdraw from the south-western provinces of Pursat and Kompong Chhnang. As they do so, the Indian, French and Malaysian battalions, respectively, will redeploy to cover the vacated provinces.

14. By the end of August, the Bangladesh battalion will have withdrawn from Siem Reap Province in the north, the Pakistani battalion will withdraw shortly after the end of August from Preah Vihear Province. Personnel from the Dutch and Indonesian battalions will be extending their coverage into those two provinces. At the same time, the forward field hospital in Siem Reap, the Polish engineering detachment and the Chinese engineering battalion will also be withdrawn.

15. Phase III, comprising stages 6 to 10, will involve the successive withdrawal of the Indian battalion, the Malaysian battalion, the forward field hospital at Battambang, the Japanese engineering battalion and the Namibian mine-resistant vehicle detachment. This will then be followed by the withdrawal of the Dutch battalion, the Thai engineering battalion (by road) and a number of logistics elements, while the French and Indonesian battalions will regroup into smaller sectors. The final two stages involve the withdrawal of the two Indonesian battalions, the Ghanaian battalions, the French engineering company, the French battalion and the remaining logistics and medical elements.

16. The withdrawal of the headquarters staff, the communications unit, United Nations Military Observers (UNMOs) and the United Nations Naval Observers (UNNOs) will take place as their tasks are completed. As infantry and other battalions are withdrawn and others are extended to cover the evacuated sectors, UNMO and UNNO teams in the affected provinces will progressively regroup into provincial towns and check-points and be reduced in number. The final withdrawal of all UNTAC personnel is planned to be completed by 15 November 1993.

B. *Civilian police component*

17. The plan for the withdrawal of the 3,500 officers of the civilian police component, which has already commenced, will be effected in three phases. Between 1 July and 1 August 1993, 1,100 officers will be repatriated, between 2 and 28 August, 1,100 more will be repatriated, and the remaining 1,300 will be withdrawn between 29 August and 30 September.

18. The considerations which affect the timing and modalities of the withdrawal of the civilian police component differ somewhat from those affecting the extraction of the military. Civilian police units, because of the nature of their work, and unlike military units, are made up of officers of different nationalities throughout the provinces. At the time of their extraction, however, for logistical and financial reasons, they will be withdrawn as national contingents.

19. Furthermore, the civilian police withdrawal plan is subject to security considerations. Since the officers are unarmed, they, as other civilian staff, rely on the military component for protection against armed attack or threat. Accordingly, as the military component withdraws from the district level in areas considered unsafe, the civilian police will do likewise. The component will remain at its current strength in the provincial capitals until the end of the mandate and will continue, where conditions permit, to operate patrols outside the provincial capitals.

C. *Other civilian components*

Human rights

20. The human rights component will continue to fulfil its mandate until the termination of the UNTAC mandate at the end of August 1993. It will pursue allegations of human rights violations and political intimidation, as well as increasing its human rights training activities. Extensive training for the police and the judiciary is planned in July and August. In addition, the component, in conjunction with the Information Division, will prepare further programmes on human rights for radio and television.

21. One of the major tasks of the human rights component in Phnom Penh will be to prepare for the operational presence of the Centre for Human Rights in Cambodia, as mandated by the Commission on Human Rights at its session in February 1993. The Centre is scheduled to become operational on 1 September 1993. A delegation from the Centre visited Cambodia in early June to prepare for the hand-over process and to discuss its operational needs.

22. Currently the component has some 15 Professional staff in Phnom Penh and 18 Professional staff, with training assistants, in the provinces. Six Professional staff have left the Component to date, a further eight staff members are to leave by the end of July, and the remainder are scheduled to remain until the end of August.

Electoral

23. Most of the 963 international polling station officers (IPSOs) were repatriated immediately after the polling and counting of ballots, between 31 May and 5 June 1993. Two hundred and seventeen polling officers and 41 fingerprint and handwriting experts were retained for the tendered-ballot count and left between 7 and 15 June. The bulk of the remaining international electoral staff - some 420 district electoral supervisors recruited by the United Nations Volunteer Service - departed the mission by 15 June. This left a skeleton staff of 16 officers in Phnom Penh, including the chief electoral officer and three members of the operations and computer staff. They will be available to advise on the complaints of the Cambodian People's Party (CPP), which are being dealt with by the Special Representative's Electoral Advisory Committee, referred to

above, and to assist with the establishment of the Constituent Assembly and, if requested, with its work on the Constitution. They will leave when the UNTAC mandate expires. Eight other officers currently in their posts will leave at the end of July.

Civil administration

24. Before the elections, the main aim of the control civil administration component exercised over the five fields specified in the Paris agreements was to ensure a neutral political environment conducive to free and fair elections. However, the expertise thus gained is considered vital to promoting stability during the remainder of the transitional period. The component is therefore streamlining its activities to help ensure a smooth transition from the existing administrative structures to the new Government and adapting its control functions accordingly.

25. Thus, at the provincial level, civil administration staff will, *inter alia*, maintain their contacts with the personnel of the existing administrative structures; promote dialogue and national reconciliation; monitor any sale, transfer or disposal of public assets; follow up on any allegations of human rights violations or political intimidation; maintain close contact with and facilitate the work of United Nations agencies and programmes; and assist in the closure of UNTAC offices at the provincial level, including the retrieval and/or disposal of UNTAC property.

26. On the national level, civil administration staff are focusing their efforts on, *inter alia*, the judiciary and the administration of justice; monitoring the implementation of the SNC moratoria on timber, gems and minerals; border and customs control; and the control and safeguarding of public funds and State assets.

27. Financial control activities will continue through the transitional period at both the provincial and the national levels. Such activities will be strengthened as regards military expenditure and, as mentioned above, the sale or disposal of public assets.

28. Of the 172 international staff of the component that remain, 115 are located in the provincial capitals, including the municipality of Phnom Penh, and at the border checkpoints. The remaining 57 are based at UNTAC headquarters. Some 32 staff will be leaving on or before the end of July, but most of the rest will continue to work throughout the month of August until the end of the mission.

Rehabilitation

29. For the remainder of the transitional period, the rehabilitation component will be concentrating on the implementation of small-scale rehabilitation projects yielding quick results. Over the past three months, more than 150 such projects at an estimated cost of $1.7 million addressing immediate and highly prioritized needs have been compiled. These projects involve the repair and maintenance of public utilities and education and health facilities to improve the quality of life in the countryside. Most projects are highly labour-intensive, thus creating jobs at a time of scarce employment opportunities, and will especially benefit rural communities in northern and eastern Cambodia which have so far been only marginally touched by any form of development assistance.

30. Donor response to the rehabilitation component's initiative to implement small-scale quick-impact projects was relatively positive after the election had taken place, while in the period leading up to the election, donors generally expressed great reluctance to support implementation of rehabilitation activities. As a direct response to the rehabilitation component's own initiative with the donor community in Phnom Penh and Bangkok, a total of about $600,000 was pledged. It is increasingly evident, however, that this important activity will not be completed by the end of August, and that arrangements will need to be made to ensure its successful completion.

31. With regard to the withdrawal plan for the rehabilitation and economic affairs component, four staff members are scheduled to leave by 31 July, 5 by 15 August, three by 22 August and the remaining 17, at this stage, by the end of UNTAC's mandate.

Information/Education Division

32. One third of the Information/Education Division's 45 staff had been released by 30 June 1993, and a further four were due to leave by the end of July. Many of the remaining 25 or so staff members are engaged in radio and television production. They will continue to produce programmes on human rights education and reconstruction and development until the end of the mission. Some will also remain on hand to document UNTAC's final winding-up and departure. The Division's control function will be devoted mainly to promoting the free flow of information and opinion.

Other UNTAC civilian staff and equipment

33. All other civilian personnel, except those required for the liquidation process, will leave the mission upon the expiry of the mandate or shortly thereafter. The liquidation team will complete its work as expeditiously as possible and will deal with all aspects relating to UNTAC assets in the mission area. A separate report on the disposal of UNTAC equipment has been submitted for consideration by the Advisory Committee on Administrative and Budgetary Questions.

III. PREPARATIONS FOR THE POST-UNTAC PERIOD

34. Cambodia still faces enormous problems of security, stability, mine clearance, infrastructure improvement and general economic and social development. Despite the positive developments of the last few weeks, the political-military situation remains fragile and the task before the new Government can be expected to be difficult and challenging. Cambodia will clearly require continued international assistance and support.

35. I believe it is important that any future assistance provided by the United Nations be clearly separate from the UNTAC presence. UNTAC was established as an operation with a clearly defined mandate and duration and specific resources. It has performed its function creditably and has now begun the process of withdrawing. UNTAC will soon cease to exist.

36. Various programmes and agencies of the United Nations system, as well as international financial institutions, will be prepared, in consultation with the Cambodian Government, to continue to play their traditional role in rehabilitation, reconstruction, development and humanitarian assistance. In this context, the international community should accelerate delivery of assistance already pledged and consider urgently what further assistance might be provided to the Interim Joint Administration and later to the new Government. It is also vitally important to ensure a smooth transition from UNTAC's rehabilitation efforts to post-UNTAC United Nations activities in this area. The UNTAC rehabilitation component is already actively engaged in consultations to achieve this objective.

37. In addition, a continued human rights presence has been mandated both under the Paris agreements and by a decision of the Commission on Human Rights (see para. 21 above). The United Nations could also undertake, with the concurrence of the new Cambodian Government, mine clearance, which will continue to be a major need for years to come.

38. The question of maintaining a small post-UNTAC United Nations military presence has been raised from time to time. The Cambodian Government will, of course, be in a position to make bilateral arrangements, if it so chooses, in respect of assistance in forming unified national armed forces. However, should the Government request the stationing of a small number of United Nations Military Observers in Cambodia for a limited period as a confidence-building measure and to monitor and report on the security of its borders, the Security Council will no doubt consider such a request at the appropriate time. Such an observer presence could also be utilized to supervise any demobilization of armed forces should such agreement be reached among the Cambodian parties.

39. Whatever the types of assistance requested from the United Nations, I am convinced that it should be provided in a well coordinated and integrated manner. An interim office, along the lines of those I have established elsewhere, would be particularly appropriate in Cambodia as an instrument of post-conflict peace-building. The head of such an office would maintain dialogue with the new Government and facilitate coordination of various assistance programmes to ensure maximum effectiveness while respecting the normal responsibilities of various offices, programmes and agencies in their respective fields. The establishment of such an office, following the unprecedented UNTAC endeavour which is now coming to a conclusion, would serve as a symbol of United Nations continuing commitment to a peaceful future in Cambodia.

IV. OBSERVATIONS

40. In conclusion, I wish to assure the Security Council that UNTAC will continue to discharge its tasks fully and faithfully until the end of its mandate and to do everything possible to assist the Cambodian parties to consolidate the positive results of the election and complete the process of adopting a Constitution and establishing a new Government in accordance with the Paris agreements. I am convinced that, upon the conclusion of UNTAC's mandate, the international community will respond generously to Cambodia's needs as it continues the difficult process of rebuilding the nation after years of strife and devastation. The United Nations system stands ready to play its role in this effort.

DOCUMENT S/26091

Letter dated 14 July 1993 from the representative of Tajikistan to the Secretary-General

[*Original: Russian*]
[*16 July 1993*]

I have the honour to transmit a statement forwarded by the Ministry of Foreign Affairs of the Republic of Tajikistan to the consulate of the Islamic State of Afghanistan in Dushanbe in connection with the attack mounted on 13 July 1993 by a group of armed persons and Afghan *mujahidin* on the village of Sarigor in the Shurabad district of Hatlon region in Tajikistan.

I should be grateful if you would have this statement circulated as an official document of the Security Council.

(*Signed*) Lakim KAYUMOV
Permanent Representative
of Tajikistan
to the United Nations

TEXT OF THE STATEMENT

The Ministry of Foreign Affairs of the Republic of Tajikistan feels obliged to inform the Consulate of the Islamic State of Afghanistan that, today, 13 July 1993, at 4 a.m. a 200-strong group of armed persons and Afghan mujahidin mounted an attack on the village of Sarigor in Shurabad district. The attackers used mortars, rocket launchers and recoilless rifles. The group was commanded by the Afghan field commander Kori Hamidullo. In April and May 1993 a group under his command more than once violated the State frontier in the same district and carried out provocative armed actions deep inside Tajik territory. The commanding officer of the 55th Infantry Division of the Ministry of Defence of the Islamic State of Afghanistan, Kozi Kabir, was in overall command of the operation and responsible for the supply of reserves and armaments. The group looted and burned down the village of Sarigor and penetrated the territory of the 12th subunit of Russian frontier troops.

Russian frontier troops, subunits of the 201st Motor-rifle Division and forces of the National Security Committee and the Ministry of Internal Affairs of the Republic of Tajikistan are conducting combat operations to liberate the area in question and to drive the armed bands from Tajik territory. The attackers have sustained heavy casualties. The number of wounded and dead among the civilian population and the Russian frontier troops is currently being ascertained.

The Ministry of Foreign Affairs notes with particular anxiety and concern that the participation of the commanding officer, subunits of the 55th Infantry Division and citizens of the Islamic State of Afghanistan could lead to a most undesirable state of affairs, create tension and complicate relations between the Republic of Tajikistan and the Islamic State of Afghanistan.

The Ministry of Foreign Affairs of the Republic of Tajikistan voices the categorical protest of the Government of Tajikistan and views this action as a hostile and dangerous provocation and an attempt to violate the territorial integrity of Tajikistan.

The Government of Tajikistan, affirming its commitment to the maintenance and strengthening of good-neighbourly and friendly relations with Afghanistan, nevertheless feels obliged to state that any aggressive action against Tajikistan will be repelled with all available means. The Government of Tajikistan counts on an immediate response by the official authorities of the Islamic State of Afghanistan.

DOCUMENT S/26092

Letter dated 15 July 1993 from the representative of Tajikistan to the Secretary-General

[*Original: Russian*]
[*16 July 1993*]

I have the honour to transmit a statement of 15 July 1993 by the Presidium of the Supreme Soviet and the Council of Ministers of the Republic of Tajikistan.

I should be grateful if you would have this statement circulated as an official document of the Security Council.

(*Signed*) Lakim KAYUMOV
Permanent Representative
of Tajikistan
to the United Nations

TEXT OF THE STATEMENT

The Presidium of the Supreme Soviet and the Council of Ministers of the Republic of Tajikistan note that following the seventeenth session of the Supreme Soviet of the Republic of Tajikistan, the process of stabilization of the social and political situation is becoming increasingly irreversible, the most serious consequences of the civil war and the recent natural disasters are being eliminated, and ways of extricating the Republic from the severe economic crisis are becoming apparent. Law and order are being established in the country, the return of the refugees continues, and conditions in which the citizens can work in peace are being created.

However, the return of peace to the long-suffering land of Tajikistan is not welcomed by the armed terrorist anti-government groups which have entrenched themselves in the territory of the Islamic State of Afghanistan. Recently, these groups have more than once violated the State frontier and created a real threat to the lives of the Russian frontier guards and the residents of regions adjacent to the frontier. Despite heavy losses, provocative armed attacks continue. The situation is further aggravated by the fact that units led by Afghan field commanders from a subunit of the 55th Infantry Division of the Ministry of Defence of the Islamic State of Afghanistan are participating alongside them in these armed provocations. Specifically, on 13 July 1993 a large body of troops from the military formations of the anti-popular forces, supported by Afghan mujahidin and subunits under the Ministry of Defence of the Islamic State of Afghanistan, attacked the frontier village of Sarigor in the Shurabad district. The attack resulted in losses of life and injury, including among the civilian population (the village of Sarigor was looted and burned down).

The Presidium of the Supreme Soviet and the Council of Ministers of the Republic of Tajikistan pay tribute to the bravery of the Russian frontier guards and express their deep grief at the heroic deaths of the frontier guards and the troops of the 201st Motor Rifle Division. The Presidium of the Supreme Soviet and the Council of Ministers of the Republic categorically condemn the attack carried out from the territory of the Islamic State of Afghanistan against the territory of Tajikistan, and state that such actions deal an irreparable blow to good neighbourly relations between the two countries and are likely to have unpredictable consequences which may lead to their escalation into a conflict on a regional scale. The responsibility for such acts of open aggression perpetrated from Afghan territory rests fully and entirely with the extremist groups in Afghanistan which, in alliance with armed units of the Tajik opposition, are seeking to impede the development of the country, the process of spiritual renewal of society and the building of Tajikistan as a democratic, secular State ruled by law.

The Presidium of the Supreme Soviet and the Council of Ministers of the Republic regard this latest barbaric attack as an act of aggression against sovereign Tajikistan as a direct violation of the country's territorial integrity and security in contravention of the principles and purposes of the Charter of the United Nations, emphasize the inadmissibility of such acts and reserve the right, if they continue, to take all necessary measures in accordance with article 51 of the Charter and to exercise their rights under the treaty on collective security signed by member countries of the Commonwealth of Independent States.

The Presidium of the Supreme Soviet and the Council of Ministers of the Republic of Tajikistan express their gratitude to the President of the Russian Federation, B. N. Yeltsin, and to the Supreme Council of the Russian Federation for their support to the Tajik people in this difficult time.

The Presidium of the Supreme Soviet and the Council of Ministers of the Republic of Tajikistan express the hope and conviction that the parliaments and Governments of the parties to the treaty on collective security will discharge to the full their obligations under the Minsk agreements of 22 January 1993 relating to the conduct of peace-keeping operations in Tajikistan and the defence of the Tajik-Afghan frontier.

DOCUMENT S/26095

Letter dated 14 July 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*16 July 1993*]

The success of the recent elections in Cambodia, on which I reported to the Security Council on 10 June 1993 [*S/25913*], marks the beginning of a particularly delicate phase in the country's transition from conflict to peace and democracy.

During the coming months it will be essential that the Interim Joint Administration structures be able to function properly, and that neither social unrest nor macro-economic disorder be allowed to take hold. It is also important that all those serving in the public domain - be they civil servants, police or members of the armed forces - begin the process of redirecting their allegiances from the factions of the past to the future constitutional Government.

This will contribute to a more stable environment for the Constituent Assembly to complete its work and a smooth and orderly transfer to the new Government of Cambodia as envisaged in the Paris agreements [*S/23177, annex*]. It is in the interests of Cambodia and of all those that have supported the peace process that these objectives be attained. Yet there is mounting evidence that without sufficient external support these goals may be in jeopardy.

After careful consideration, I have therefore concluded, on the recommendation of my Special Representative for Cambodia and in consultation with a number of concerned Governments, that urgent measures must be taken to enable the United Nations Transitional Authority in Cambodia (UNTAC) to provide, for the remainder of the transitional period, and in consultation with the Cambodian authorities, emergency financial assistance in support of the process of restructuring and adjustment of the administrative, police and military structures of the Interim Joint Administration. My Special Representative has advised that the amount of funding required to achieve the objectives for the remainder of the transitional period would be $20 million.

It is my view that such a step is fully consistent with the uniquely broad mandate which UNTAC has been given by the Security Council to help implement the Paris agreements. It would also be a relatively modest additional outlay to ensure that the remarkable progress towards peace that has already occurred in Cambodia is not interrupted and that the United Nations endeavours are brought to a successful conclusion.

I should be grateful if you would bring this matter to the attention of the members of the Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26097

Letter dated 16 July 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*16 July 1993*]

With respect to the statement by the President of the Security Council of 15 July 1993 [*S/26084*], acting upon the instructions of my Government, I would like to draw the attention of the members of the Council to the position of Croatia.

It is the firm belief of my Government that the actions aimed at the reopening of the Maslenica bridge and the Zemunik airport for civilian traffic are the legitimate right of Croatia and in the spirit of the Vance plan and the relevant Security Council resolutions. We consider those actions to be a necessary measure owing to the lack of efficiency of the United Nations Protection Force (UNPROFOR) in fulfilling its mandate and in normalizing the living conditions of all the citizens and refugees on the territory of Croatia. In this regard, it must stressed that, in spite of the last series of interim prolongations of its mandate, UNPROFOR has not accomplished the major goals inscribed in the relevant Security Council resolutions, owing to the obstruction by the Serbian side. I have to remind you that the shelling of the Croatian cities was intensive even before the Croatian Government decided to open the bridge.

My Government reiterates its readiness to implement fully all the relevant resolutions of the Security Council, including resolution 802 (1993), and to promote confidence-building measures, and cooperate in their fulfilment. We would have appreciated the recalling by the President of the Security Council of the demands stated in the aforesaid resolution in their entirety (e.g. paras. 1, 3 and 4). The Croatian Government believes that full implementation of the resolution is the only way to bring about the rapid conclusion of the agreement on confidence-building measures as called for in resolution 847 (1993). With this in mind, the armed forces of Croatia will withdraw from the area specified by resolution 802 (1993) at the same time as the Serbian insurgents in the United Nations Protected Areas and the "pink zones" fulfil their obligations contained in paragraphs 3 and 4 of the same resolution.

We believe that the return of the heavy weapons seized from the UNPROFOR-controlled storage areas and "disbanding and demobilization of Serb territorial defence units or other units of similar functions" is equally as important as the withdrawal of the Croatian Army. Therefore, the complete demilitarization of the United Nations Protected Areas must be considered as the most essential step towards stabilizing the region. It is the intention of the Croatian Government to continue in good faith with the negotiations on confidence-building measures and the normalization of the living conditions in the region.

My Government is committed to assuring UNPROFOR forces freedom of access to the area surrounding the Maslenica Straits and entrusting UNPROFOR - if it is capable - with the security of the civilian traffic over the bridge.

We regret the reference made to the "authorities of the Federal Republic of Yugoslavia" in the letter sent to you by the Secretary-General [*S/26082*], which was the foundation for the presidential statement, thus legitimizing the authorities in Belgrade as an active participant in this matter. We consider the reopening of the Maslenica bridge and the Zemunik airport an entirely internal matter of Croatia.

I would ask for your kind assistance in having this letter distributed as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

DOCUMENT S/26099

Report of the Secretary-General pursuant to Security Council resolution 795 (1992)

[*Original: English*]
[*13 July 1993*]

I. INTRODUCTION

1. In its resolution 795 (1992) of 11 December 1992, the Security Council authorized the Secretary-General to establish a presence of the United Nations Protection Force (UNPROFOR) in the former Yugoslav Republic of Macedonia, as recommended by him in his report of 9 December 1992 [*S/24923*]. The Council requested in the same resolution that the Secretary-General deploy immediately the military, civil affairs and administrative personnel he had recommended in his report, as well as police monitors, upon receiving the consent of the Government of the former Yugoslav Republic of Macedonia, and to keep the Council regularly informed of the implementation of the resolution. In its resolution 842 (1993) the Council welcomed the offer of a Member State to contribute additional personnel to the UNPROFOR presence in the former Yugoslav Republic of Macedonia and authorized their deployment. The present report is submitted to inform the Council of UNPROFOR's deployment and activities in the former Yugoslav Republic of Macedonia prior to this expansion, in keeping with paragraph 5 of resolution 795 (1992).

2. Paragraphs 3 and 4 of my report of 9 December set out the recommendations of the exploratory mission, further elaborated in the annex to the report, and approved by the Security Council. These recommendations were:

(*a*) "That a small UNPROFOR presence be established on the Macedonian side of the republic's borders with Albania and the Federal Republic of Yugoslavia (Serbia and Montenegro) with an essentially preventive mandate of monitoring and reporting any developments in the border areas which could undermine confidence and stability in Macedonia or threaten its territory";

(*b*) "That a small group of United Nations civilian police should be deployed in the border areas to monitor the Macedonian border police."

As indicated, in paragraph 4, the rationale for this latter deployment is that incidents arising from illegal attempts to cross the border have recently led to increased tension on the Macedonian side. The mission believed that the presence of a small United Nations civilian police detachment would have a calming effect.

II. DEPLOYMENT

3. In mid-December 1992, a small team of Civil Affairs officers, a Senior Military Observer and a Senior Administrative Officer was sent to Skopje to discuss with the Government practical arrangements for the deployment of the UNPROFOR Command in the former Yugoslav Republic of Macedonia.

4. Following the consent given by the Government of the former Yugoslav Republic of Macedonia on 19 December to the deployment of United Nations civilian personnel (UNCIVPOL), the first UNCIVPOL monitors arrived on 27 December. Subsequently, UNCIVPOL deployed along the northern and western borders. As at 17 May 1993, there were 24 UNCIVPOL monitors, 10 based in Ohrid, monitoring the western border, and a further 14 located in Skopje, with responsibility for monitoring the northern border.

5. On 28 December, a reconnaissance team from the second Canadian battalion arrived in the former Yugoslav Republic of Macedonia to make the necessary arrangements for the interim deployment of a Canadian company, pending the arrival of a joint battalion from Finland, Norway and Sweden. The Canadian company arrived on 7 January 1993 and remained until 18 February.

6. Brigadier-General Finn Saermark-Thomsen of Denmark, who was designated Commander of the Macedonian Command of UNPROFOR, arrived in Skopje on 25 January. On 18 February, the Nordic battalion took over the operation from the Canadian company

7. The Nordic battalion was deployed on the western border from Debar northward and on the northern border up to the border with Bulgaria. The Nordic battalion is a 434-man force composed of three rifle companies. Its headquarters has been established in Kojlija, approximately 18 km. east of Skopje. The headquarters in Kojlija also includes the logistics company. The Finnish company is deployed in the north-western part of the area of operations with its headquarters in Tetovo. The Norwegian company is deployed in the centre of the area of operations with its headquarters in George Petrov in the outskirts of Skopje. The Swedish company is deployed in the north-eastern part of the area of operations with its headquarters in Kumanovo. As at May 1993, there were 18 permanently manned observation posts, four along the border with Albania and 14 along the border with the Federal Republic of Yugoslavia (Serbia and Montenegro).

8. The United States force of some 300 soldiers arrived in the former Yugoslav Republic of Macedonia in the first two weeks of July, and is in the process of deploying.

9. There are 19 United Nations Military Observers (UNMOs) in the area of operations. The western border area south of Debar is covered solely by UNMOs, who constitute the main United Nations presence there. They have a small headquarters in Ohrid. At present, 11 UNMOs are responsible for patrolling the area south of Debar. The remaining military observers are deployed on the northern border area or serve at the headquarters in Skopje.

10. The Civil Affairs and the Civilian Administration staff, which consists of four and five Professionals, respectively, are located at the headquarters in Skopje.

III. ACTIVITIES

11. Since early January 1993, the northern border and the western border north of Debar have been constantly monitored from observation posts and by regular patrols, first by the Canadian company and then by the Nordic battalion, with a view to reporting any activities that might increase tension or threaten peace and stability. So far their observations, which are made exclusively from inside the former Yugoslav Republic of Macedonia, have not shown any activity which might be regarded as posing an external threat to the former Yugoslav Republic of Macedonia.

12. UNPROFOR military personnel have had a number of encounters with soldiers of the Federal Republic of Yugoslavia (Serbia and Montenegro) who claimed that UNPROFOR had intruded into territory of the Federal Republic of Yugoslavia (Serbia and Montenegro). These incidents have so far been resolved satisfactorily. The problem arises from the fact that the border between the two former republics of the former Socialist Federal Republic of Yugoslavia, previously only an internal border, has not been definitively delineated. The two Governments have not yet been able to establish a joint border commission to resolve this matter conclusively. This constitutes a potential source of conflict but both sides have so far refrained from resorting to threats or moves against one another or against UNPROFOR. UNPROFOR continues to lend its good offices in the role of "go-between" as and when required.

13. The UNMOs conduct regular patrols in their area of operations to monitor the situation. They have also carried out a programme of visits to border villages aimed at gaining the confidence of their inhabitants and assisting in defusing possible inter-ethnic tensions.

14. While carrying out their border visiting programme, the UNMOs have been approached by representatives of the ethnic Albanian population who have lodged various complaints about alleged discriminatory practices by the Macedonian authorities. In those cases where the complaints are relevant to UNPROFOR's mandate, they are being brought to the attention of the appropriate national authorities, or, alternatively, to the attention of competent international bodies, such as the International Conference on Former Yugoslavia's Working Group on Ethnic and National Communities and Minorities (sub-group on Macedonia) or the Commission on Human Rights.

15. UNCIVPOL conducts regular patrols to specific crossings and the border areas in general on a daily basis to monitor the work of the local border police, in particular with regard to the two shooting incidents on the border with Albania which occurred on 22 February and 19 April, respectively. These incidents reportedly occurred in connection with illegal border crossings. The first resulted in the death of an Albanian national, who was shot by a Macedonian border official. The Albanian national is believed by Macedonian police to have been directly involved in arms smuggling into Macedonia. UNCIVPOL is monitoring these cases closely.

16. UNCIVPOL has received through the Mayor of Debar a number of complaints by Albanians concerning the local border police. In those cases where there appeared *prima facie* to be a basis for the complaint, UNCIVPOL has taken up the matter with the relevant police authorities.

17. Since the commencement of their activities, UNCIVPOL has enjoyed a good working relationship with the local border police and other border personnel. The cooperation extended by the local authorities has also been most satisfactory.

18. The UNPROFOR Civil Affairs Office has established and maintained regular contacts with the relevant government authorities, members of parliament and representatives of political parties and has ensured coordination with the Mission of the Conference on Security and Cooperation in Europe (CSCE) and the humanitarian organizations. With the CSCE mission, appropriate mechanisms of cooperation have been established as called for in resolution 795 (1992). This has been done in accordance with the Principles of Coordination between UNPROFOR and the CSCE mission in the former Yugoslav Republic of Macedonia which were formally agreed to on 15 April 1993. The level of cooperation which has been achieved is considered by both sides to be highly effective and useful.

19. The Civil Affairs Office established, at the outset, an information programme to explain the role of UNPROFOR in the former Yugoslav Republic of Macedonia. Its focus has been to ensure that the public is given a variety of opportunities to understand the reason for UNPROFOR's presence and the nature of the deployment. Initially, the reason for the decision to deploy was not fully understood by the general public. An open information policy has been formulated, involving close relations with local radio, television and newspaper editors. At present, a print programme is being finalized to provide, in Macedonian and Albanian, clear explanations of UNPROFOR's presence and the role of the different components in a United Nations peace-keeping operation.

20. UNPROFOR's deployment in the area of operations and its subsequent activities in the performance of its mandate have been greatly facilitated by the supportive attitude and cooperation of the Government of the former Yugoslav Republic of Macedonia, as well as of authorities at various levels.

IV. DEVELOPMENTS SINCE UNPROFOR'S DEPLOYMENT

21. At the time of UNPROFOR's deployment, the Government of the former Yugoslav Republic of Macedonia was gravely concerned about an external security threat. The UNPROFOR presence and the former Yugoslav Republic of Macedonia's admission to membership in the United Nations have contributed to alleviating those fears.

22. Some initial concerns over UNPROFOR's presence on the part of the Albanian sectors of the population have to a large extent been overcome through direct meetings with local officials and representatives of these groups and also through the information programme referred to above. The assistance provided by UNPROFOR to the victims of the tragic air crash which occurred on 5 March in Skopje did much to foster a positive perception of UNPROFOR by the population at large.

V. OBSERVATIONS

23. UNPROFOR has so far been successful in its preventive mandate in the former Yugoslav Republic of Macedonia. It is, of course, too early to draw definitive conclusions about the effectiveness of this deployment in the highly volatile situation that prevails in the region.

24. In this connection, the strengthening of UNPROFOR under resolution 842 (1993) is a welcome development. As the Council has repeatedly recognized, the UNPROFOR presence in the former Yugoslav Republic of Macedonia makes a valuable contribution to stability in the region, and serves as an additional source of support for the international community's efforts to promote a peaceful resolution of the overall situation in the former Yugoslavia. The tangible support offered to these objectives in the form of the United States deployment will further strengthen confidence and stability in the former Yugoslav Republic of Macedonia and underscore the message that the international community will not accept any further widening of the tragic conflict in the region.

25. In proposing the initial deployment of UNPROFOR in the former Yugoslav Republic of Macedonia on 9 December 1992, I expressed the belief that a small preventive United Nations deployment would help the countries concerned "to make safe passage through a potentially turbulent and hazardous period". This remains my hope at a time when the conflagration in other parts of the former Yugoslavia shows little sign of abating.

26. I shall continue to keep the situation in the former Yugoslav Republic of Macedonia under close review and shall revert to the Council as appropriate in the months to come.

DOCUMENT S/26100

Letter dated 16 July 1993 from the representative of Ukraine to the President of the Security Council

[*Original: English*]
[*16 July 1993*]

I have the honour to transmit herewith the text of the letter by the Minister for Foreign Affairs of Ukraine, Mr. Anatoly M. Zlenko, which contains a request to urgently convene a meeting of the Security Council in accordance with paragraph 1 of Article 35 of the Charter of the United Nations and rule 3 of the provisional rules of procedure of the Security Council, to consider the situation which has been created as a result of the adoption on 9 July 1993 of a Decree of the Supreme Soviet of the Russian Federation concerning the Ukrainian city of Sevastopol.

I would be grateful if you would have the text circulated as a document of the Security Council.

(*Signed*) Victor H. BATIOUK
Permanent Representative
of Ukraine
to the United Nations

LETTER DATED 14 JULY 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF UKRAINE TO THE PRESIDENT OF THE SECURITY COUNCIL

[*Original: English and Russian*]

In accordance with paragraph 1 of Article 35 of the Charter of the United Nations and rule 3 of the provisional rules of procedure of the Council I ask you to urgently convene a meeting of the Council to consider the situation which has been created as a result of adoption on 9 July 1993 of a decree of the Supreme Soviet of the Russian Federation concerning the Ukrainian city of Sevastopol.

The decree of the Russian Parliament alleges so-called "Russian federal status for the city of Sevastopol within the administrative and territorial borders of the city district as of December 1991", it entrusts the Council of Ministers - the Government of the Russian Federation - with a task to "work out a state programme of ensuring the status of the city of Sevastopol by giving appropriate instructions to ministries and agencies of Russia". For the Central Bank of Russia it prescribes "to provide financing of appropriate parts of the budget of the city of Sevastopol through its branches".

The committee on constitutional legislation of the Supreme Soviet of the Russian Federation is entrusted with the "preparation of a Law of the Russian Federation about reflecting in the Constitution of the Russian Federation of the federal status of the city of Sevastopol".

Such an enactment of the Supreme Soviet of the Russian Federation can be described but as a flagrant disregard of universally recognized principles and norms of international law, in particular, paragraph 4 of Article 2 of the Charter. It constitutes overt encroachment on the territorial inviolability of Ukraine, an interference into its internal and external affairs and is incompatible with the aims and principles of the United Nations. This enactment is also a flagrant violation of the obligations, which result from Russia's membership in the United Nations, its participation in the Conference on Security and Cooperation in Europe, bilateral agreements between Ukraine and the Russian Federation, in particular the treaty between Ukraine and the Russian Federation of 19 November 1990,[7] registered with the United Nations Secretariat in conformity with the Charter. In accordance with article 6 of this treaty, "The High Contracting Parties recognize and honour territorial integrity" of Ukraine and Russia.

Implementation by the Russian authorities of the Russian Federation Supreme Soviet's decision would have led to adequate actions on the part of Ukraine in order to defend its sovereignty and territorial integrity. The development of the present situation could threaten the maintenance of international peace and security.

Ukraine considers the said decision by the Supreme Soviet of the Russian Federation as having no lawful grounds and no legal consequences for Ukraine.

The question of the status of the city of Sevastopol is in the exclusive competence of Ukraine. Since 1954, after the Crimean region had been transferred from Russia to Ukraine by organs then so authorized, and in accordance with the Constitution of Ukraine of 1978, the Constitution of the Russian Soviet Federated Socialist Republic (RSFSR) of 1978 and the Constitution of the Union of Soviet Socialist Republics (USSR) of 1977, the city of Sevastopol is an integral part of Ukraine, as a city of republican subordination, that is, one of the administrative and territorial parts of Ukraine.

Having proclaimed its wish to live in peace, harmony and mutual respect with all states of the world, in particular with its neighbours, Ukraine firmly rejects any territorial claims and appeals to the Security Council to use all its authority to have this illegal decision cancelled by the Parliament of the Russian Federation, warn it against taking further decisions which could jeopardize international peace and security and give qualification to the decision of the Supreme Soviet of the Russian Federation from the point of view of its conformity with the purposes and principles of the Charter of the United Nations, the purposes of Helsinki Final Act, Charter of Paris for a New Europe and other fundamental principles of international law.

(*Signed*) Anatoly ZLENKO
Minister for Foreign Affairs of Ukraine

DOCUMENT S/26101

Letter dated 16 July 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*16 July 1993*]

I have the honour to submit, enclosed herewith, a letter by the President of the Republic of Croatia, Mr. Franjo Tudjman, addressed to you.

I would be grateful if you would provide for the distribution of this letter as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

LETTER DATED 16 JULY 1993 FROM THE PRESIDENT OF CROATIA TO THE PRESIDENT OF THE SECURITY COUNCIL

At its 16th session the Defense and National Security Council of the Republic of Croatia discussed the situation in connection with the opening of the Maslenica bridge and Zadar airport, and the pressures brought to bear against Croatia because of its intention to open these facilities, and because of responsibility for the situation in Bosnia and Herzegovina.

In this regard the position of the Republic of Croatia is as follows:

1. Croatia is reinstating traffic across the Maslenica bridge through the Zadar airport in accordance with the relevant resolutions of the Security Council and the Vance plan, because this is of vital importance, in economic terms, for Southern Croatia, as well as for the delivery of humanitarian aid not only to Dalmatia, but to Bosnia and Herzegovina as well. After the destruction of the Maslenica bridge all the traffic has been handled by ferries and across the Pag bridge which according to experts' findings, its technical condition is such that it prevents all truck traffic. This is one more reason why traffic must be rerouted without delay across the new pontoon Maslenica bridge.

Let us point out that the reinstating of traffic is not a military provocation but a peaceful civilian emergency action, and that it is being taken after the failure of all attempts at direct and indirect negotiations with the local Serbs with the assistance of the representatives of the International Conference on the Former Yugoslavia and the United Nations Protection Force (UNPROFOR). Indeed, this is an opportunity to demonstrate good intentions, and to discontinue the foot-dragging tactics practised in the negotiations by the Serbian side, which are contrary to the spirit and to the letter of the Vance plan and of the relevant resolutions of the Security Council.

In view of the foregoing, we urge the international community and the UNPROFOR Command to provide - on the basis of the general recognition of the legitimacy and justifiability of our requests (which has not been challenged either by the latest report of the President of the Security Council) - all the required cooperation for the establishment of traffic, this being of vital importance for Croatia, and to bring pressure to bear upon the insurgent Serbs to refrain from all military actions against the Maslenica Bridge which is exclusively a civilian, economic and humanitarian facility.

We reject most vigorously that part of the letter of the United Nations Secretary-General which might warrant the conclusion that agreement is expected not only of the local Serbs but also of another state (the Federal Republic of Yugoslavia) for any activity undertaken by the legitimate Croatian authorities within the internationally recognized borders of the Republic of Croatia, including the establishment of traffic across the Maslenica bridge.

2. The Council considers the pressures and threats against Croatia because of the situation in Bosnia and Herzegovina to be unfounded for the following reasons:

(*a*) Croatia was the first to recognize the integrity and sovereignty of Bosnia and Herzegovina, and continues to recognize Bosnia and Herzegovina as an independent state.

(*b*) There have been no agreements whatsoever between Croatia and Serbia on the partition of Bosnia and Herzegovina.

(*c*) In the quest for a solution, Croatia has always shown a high degree of cooperation with the Co-Chairmen of the International Conference on the Former Yugoslavia (ICFY); Croatia will support any solution accepted by all the three constituent peoples in Bosnia and Herzegovina.

(*d*) Croatia endorses the principle of independence and territorial integrity of Bosnia and Herzegovina. We believe that the war in Bosnia and Herzegovina could be brought to an end on the basis of an agreement on the arrangement of that state as a composite, federal tripartite state of the three constituent nations.

(*e*) There are no regular units of the Croatian Armed Forces in Bosnia and Herzegovina, except in borderland areas pursuant to Article 8 of the Agreement on Friendship and Cooperation between the Republic of Bosnia-Herzegovina and the Republic of Croatia signed on 21 July 1992; the Croatian Defence Council (HVO) units have been joined by individuals, former members of the Croatian Armed Forces natives of Bosnia and Herzegovina, who had joined, as volunteers, the Croatian Armed Forces during the Serbian aggression against Croatia in order to defend the Republic of Croatia, and have now returned to defend their century-old homes.

(*f*) The best proof of this position of the Republic of Croatia is to be found in the proposal previously made by Croatia and repeated on this occasion, that UNPROFOR should implement effective control of borders both between Bosnia and Herzegovina and the Federal Republic of Yugoslavia, and between Croatia and Bosnia and Herzegovina, including the entire border and not only the border along the United Nations Protected Areas (UNPAs).

3. Croatia supports all efforts conducive to an effective and immediate end of the war in Bosnia and Herzegovina, and to the agreement of the three constituent peoples in all matters, in the interest of maintaining Bosnia and Herzegovina and of peace in Europe.

Let us remind you that the Republic of Croatia has had to bear the bulk of the burden of the refugee crisis caused by the Serbian aggression against the Republic of Croatia and, subsequently, against the Republic of Bosnia and Herzegovina. Thus far about 650,000 refugees from Bosnia and Herzegovina, the majority having been Muslims, have crossed the Republic of Croatia en route to other European countries; at present, the Republic of Croatia is providing relief to more than 250,000 displaced persons from the occupied areas of Croatia, and for more than 280,000 refugees from Bosnia and Herzegovina, about 196,000 of the latter (according to estimates) being Muslims.

As a result of Serbian aggression, more than 200,000 Croats have been expelled from Bosnia and Herzegovina; 40,000 Croats have been expelled, an additional 100,000 still being in danger, as a result of Muslim aggression against the HVO in Central Bosnia.

4. Croatia has always and consistently been prepared, and will continue to be prepared, within the scope of the ICFY and of the efforts made by the international community, for negotiations on a peaceful and political solution in the UNPAs, and for the normalization of relations with all States that have emerged in the area of the former Yugoslavia, including Serbia and Montenegro (Federal Republic of Yugoslavia).

Mr. Franjo Tudjman
President
of the Republic of Croatia

DOCUMENT S/26103

Letter dated 16 July 1993 from the representative of Kuwait to the President of the Security Council

[*Original: Arabic*]
[*16 July 1993*]

On instructions from my Government, I have the honour to inform you of the latest developments with regard to Iraq's failure to comply with Security Council resolution 687 (1991) and the other relevant resolutions since the Council's last review of the sanctions regime against Iraq on 21 May 1993. This conduct constitutes a flagrant breach of the commitment it entered into on accepting that resolution and persistent defiance of the will of the international community. Iraq's approach to the discharge of its obligations under the relevant Security Council resolutions has remained basically unchanged in spite of its superficial claim to be implementing them in order to have the sanctions lifted without fully shouldering its basic responsibilities in respect of the substance and the spirit and letter of those resolutions. The following account of some Iraqi practices provides evidence of its failure to comply with the resolutions of the international community.

I. *United Nations Iraq-Kuwait Boundary Demarcation Commission*

In spite of the provisions of paragraphs 2, 3 and 4 of resolution 687 (1991) to the effect that Iraq and Kuwait should respect the inviolability of the international boundary between them and in spite of the fact that the Iraq-Kuwait Boundary Demarcation Commission completed all of its work and the tasks assigned to it under resolution 687 (1991) on 20 May 1993, Iraq continues to insist on its position, which challenges the Commission's reports and decisions. This position constitutes a clear proof of its reneging on resolution 687 (1991), as may be inferred from a review of the following practices:

(*a*) A letter dated 6 June 1993 [*see S/25905*] from the Minister for Foreign Affairs of the Iraqi regime attacks the Boundary Demarcation Commission and its credibility and questions the impartiality of its members and the legitimacy and justice of its decisions. It also challenges the authority of the Security Council and some of its members and attacks the United Nations by impugning its senior officials. Furthermore, the letter reveals Iraq's position disputing the existence of Kuwait as an independent sovereign entity. The Security Council responded to such excess in the form of a statement by its President dated 28 June 1993 [*S/26006*], as it had responded previously when Iraq disputed Kuwait's existence in the form of the President's statement of 17 June 1992 [*S/24113*], which states in one of its paragraphs, and I quote: "The members of the Council firmly reject any suggestion that tends to dispute the very existence of Kuwait, a Member State of the United Nations."

(*b*) Iraq's persistent disregard of the binding and definitive nature of the Commission's decisions concerning the demarcation of the land and offshore boundaries.

(*c*) Its position on Security Council resolution 833 (1993) adopted under Chapter VII of the Charter, in which the Council welcomed the Committee's decisions regarding the demarcation of the land and offshore boundaries and demanded that Iraq and Kuwait respect the inviolability of the international boundary between the two countries and the right to navigational access.

(d) The infiltration by some elements across the boundary line to carry out sabotage operations and attack Kuwaiti property in the border area.

(e) Its refusal to cooperate with the United Nations in its current efforts to delimit farms and carry out a census of Iraqi farmers who are at present in Kuwaiti territory adjacent to the Iraqi border with a view to compensating and evacuating them.

II. *Iraqi assertions that Kuwait belongs to it*

As we are aware of the danger of Iraqi claims and of the fact that they must not be ignored or passed over in silence, we sent two letters to the President of the Security Council, dated 8 and 23 March 1993 respectively [*S/25384 and S/25465*], in which we described the adverse repercussions of these claims on peace and security in the region because of the persistence of Iraqi designs on Kuwait. Given Iraq's indifference to the resolutions of the Security Council and its failure to comply with the demands of its members, it must be summoned to desist from these claims each time the sanctions regime is reviewed, since they constitute unequivocal defiance of the substance of those resolutions, which require Iraq to respect the independence and sovereignty of Kuwait, its territorial integrity and its international legitimacy.

We wish to review some of these Iraqi claims that have come to light since the last review, for your benefit and for the benefit of the members of the Security Council:

1. On 24 May 1993 the Iraqi Minister of Information, Nuri Najm al-Marsumi, referred in an article published in the Iraqi newspaper *Al-Thawrah* to Kuwait's being "remote from its Iraqi national environment" and in a later paragraph to "raising the consciousness of the Iraqis of Kuwait". In a subsequent paragraph he says "Iraq's acceptance of the resolutions of the Security Council and its full commitment to their implementation should not be interpreted as meaning that Iraq accepts encroachments on its boundaries". After lengthy assertions and threats in this vein, he states: "We issue a warning that, when Iraq's patience is exhausted, tunnels and walls will be of no avail and the thieves of Kuwait will find no means of moving to Riyadh this time round." All of this demonstrates the hostile bent of Iraqi policy, with its persistent talk of a further invasion and occupation of Kuwait.

2. On 2 June 1993, the Iraqi Minister of Oil, Usama Abd ar-Razzaq al-Hithi, said in an interview with the Iraqi newspaper *Al-Jumhuriyah*: "We have a historic right to Kuwait, and it was snatched from us unjustly and aggressively."

III. *The question of Kuwaiti prisoners and missing persons and nationals of other countries*

With regard to this purely humanitarian question, although two years have passed since the adoption of resolution 687 (1991) and in spite of Iraq's official acceptance of that resolution, no progress whatsoever has been made in the matter for the following reasons:

1. Iraq has not yet discharged its obligations under paragraph 30 of that resolution, which requires it to extend all necessary cooperation to the International Committee of the Red Cross (ICRC), by providing lists of such persons, facilitating the access of the Committee to the places where they are located or detained and facilitating the Committee's search for them.

2. Although four months have passed, Iraq has not yet replied to the official request to it from ICRC for information concerning the files of 627 individuals, thus reneging on its previous undertaking to reply regarding any file within 10 days of receiving it.

3. Outside the context of the Security Council's mechanism for dealing with this matter, Iraq has prevented the Secretary-General's Envoy to the League of Arab States, Mr. Rashid Idris, from carrying out his mission to visit Iraq and use his good offices as a mediator for the release of the prisoners and detainees. It has also thwarted the efforts of the Moroccan monarch, King Hassan II, and his gracious mediation with a view to securing the release of Kuwaiti prisoners and detainees.

IV. *Return of property stolen from the public and private sectors*

Despite Iraq's superficial cooperation in this matter, it should be borne in mind that, what Iraq returns in fulfilment of its obligation under resolutions 686 (1991) and 687 (1991) represents an incomplete implementation of those resolutions for the following reasons:

1. Most of the equipment handed over by Iraq has been intentionally wrecked or destroyed, even just a few hours before the hand-over, which renders them worthless and of no further use.

2. The Iraqi authorities still insist that they are not responsible for the return of property worth hundreds of millions of dollars stolen from the private sector, some of which was burned and some of which was moved to Iraq according to inventories published by Iraqi ministries, signed and sealed by special government bodies that came to Kuwait to supervise the stealing and transport operations. We have in our possession a number of originals and photocopies of such records which were left behind by the Iraqi regime when it was expelled.

3. Iraq is not fulfilling its obligations with regard to the lists agreed on with the United Nations Coordinator for the hand-over of stolen property inasmuch as it is constantly out to postpone and delay the hand-over operations, which entails additional financial costs and administrative measures for Kuwait.

V. *The Compensation Fund*

Iraq has not fulfilled its obligation with regard to compensation under section E of resolution 687 (1991), operation of the Compensation Fund in the manner specified in paragraph 19 of the resolution and disclosure of its gold and hard currency assets, since it persists in refusing to implement resolutions 706 (1991) and 712 (1991), a violation that entails double misfortune for Iraqis and non-Iraqis alike. This question is also a humanitarian issue of great importance which Iraq should be made to answer for in full.

VI. *Weapons of mass destruction*

Iraq's cooperation with the Special Commission and the International Atomic Energy Agency has not been up to standard inasmuch as Iraq, in spite of its claims to be providing information on the programme for the development of chemical and biological weapons and cooperating with the inspection teams, systematically restricts the freedom of movement of the Special Commission and has on several occasions, as you know, threatened individuals serving on the Commission. Moreover, in an act of barefaced defiance it currently refuses to permit the installation of cameras in weapons development sites prohibited under resolution 687 (1991). In addition, Iraq still refuses to accept resolutions 707 (1991) and 715 (1991) concerning long-term monitoring of weapons of mass destruction in its possession and to reveal the names of the companies that supplied it with the materials and equipment to produce such weapons.

VII. *Terrorism*

As usual, the Iraqi regime is not complying with the provisions of paragraph 32 of resolution 687 (1991), which "requires Iraq to inform the Council that it will not commit or support any act of international terrorism or allow any organization directed towards the commission of such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods and practices of terrorism". But what was the attempt by the Iraqi intelligence service to assassinate and to blow up the former United States President George Bush and his entourage during his visit to Kuwait but an act of international terrorism and a flagrant violation of resolution 687 (1991)? Those accused of this act are currently being tried before an open court in Kuwait in full view of the Arab and foreign media and in the presence of representatives of humanitarian organizations. The accused are being represented by lawyers, some of whom they chose themselves and some of whom were appointed by the court in deference to the absolute right to defence under the law.

The questions raised above are reliable indicators of Iraq's persistent pursuit of a policy of defiance of the resolutions of the Security Council. As the main aim of these resolutions is to secure full respect for Kuwait's independence, sovereignty and territorial integrity, the international community must take appropriate measures to secure Iraq's compliance in letter and spirit with all relevant Security Council resolutions. It should not merely focus on dealing with questions and issues arising from Iraq's invasion of Kuwait because unless the reasons for the invasion are addressed, that is to say the continued assertion that Kuwait is a part of Iraq, the matter will not be settled and Iraq's intentions will continue to pose a threat to security and peace in the region.

I should be grateful if you would have this letter circulated as an official document of the Security Council.

(*Signed*) Mohammad A. ABULHASAN
Permanent Representative
of Kuwait
to the United Nations

DOCUMENT S/26104

Note verbale dated 15 July 1993 from the mission of Latvia to the Secretary-General

[*Original: English*]
[*19 July 1993*]

The Permanent Mission of Latvia to the United Nations presents its compliments to the Secretary-General of the United

Nations and has the honour to bring to his attention a statement dated 13 July 1993 by the Ministry for Foreign Affairs of Latvia on a decision adopted by the Russian Federation Supreme Council Presidium which foresees the presentation to the Russian Federation Supreme Council the issue which comprises the denunciation of the Treaty of Peace between Latvia and Russia, signed at Riga on 11 August 1920."

The Permanent Mission of Latvia to the United Nations should be grateful if the Secretary-General would have the text of this note circulated as a document of the Security Council.

TEXT OF THE STATEMENT

The Russian Federation Supreme Council Presidium has adopted a decision which foresees the presentation to the Russian Federation Supreme Council the issue which comprises the denunciation of the Treaty of Peace between Latvia and Russia, signed at Riga on 11 August 1920.

The Ministry for Foreign Affairs of Latvia understands such a decision as an unfriendly act in relation to Latvia which could only bring forth further confrontation, especially in view of the fact that the matter concerns the treaty of peace which ended the state of war between these two States. The decision of the Supreme Council Presidium is an open attempt to revise the border between Latvia and Russia, which was defined in the 1920 Treaty of Peace.

The Ministry for Foreign Affairs points out that if the Russian Federation Supreme Council should adopt such a decision, then a dangerous precedent would be created, which from an international law as well as from a practical viewpoint could bring forth unpredictable consequences. The Ministry for Foreign Affairs considers that the proposed denunciation of the currently valid Treaty of Peace could only threaten the development of favourable State relations between Latvia and the Russian Federation.

The Ministry for Foreign Affairs expresses the hope that the Russian Federation Supreme Council will be able to refrain from a purely emotional resolution of this issue.

DOCUMENT S/26107

Letter dated 19 July 1993 from the representative of Bosnia and Herzegovina to the President of the Security Cuncil

[*Original: English*]
[*19 July 1993*]

I have the honour to present to you the attached letter, dated 19 July 1993, from the Presidency of the Republic of Bosnia and Herzegovina.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 19 JULY 1993 FROM THE PRESIDENT OF THE PRESIDENCY OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

I have to inform you that again the Serbian aggressor has launched a heavy offensive towards the Sarajevo safe zone, now coming from two directions: south-east and south-west, aiming to cut up the city. There are signs that the Serbian forces plan a general attack on the town itself. Strong forces were also directed to the mountain Igman where there were three helicopter descents registered in the last two days, which are blunt violations of the "no-fly zone".

I call upon you to intervene immediately and stop this new act of aggression on Bosnia and Herzegovina.

(*Signed*) Alija IZETBEGOVIC

DOCUMENT S/26109

Letter dated 19 July 1993 from the representative of the Russian Federation to the President of the Security Council

[*Original: Russian*]
[*19 July 1993*]

I have the honour to transmit herewith the text of the statement by the Ministry of Foreign Affairs of the Russian Federation issued on 11 July 1993 in connection with the resolution of the Supreme Council of the Russian Federation regarding the status of the city of Sevastopol.

I should be grateful if you would have the text circulated as an official document of the Security Council.

(*Signed*) Y. VORONTSOV
Permanent Representative
of the Russian Federation
to the United Nations

TEXT OF THE STATEMENT

The resolution adopted on 9 July 1993 by the Supreme Council of the Russian Federation regarding the status of the city of Sevastopol departs from the policy followed by the President and the Government of the Russian Federation in upholding Russian interests as regards matters relating to the Black Sea fleet and in maintaining bases for the Navy of the Russian Federation in the territory of Ukraine, in the Crimea and in Sevastopol.

Being emotional and declaratory, this resolution is far from conducive to real solutions and indeed further impedes the already difficult task of reaching a settlement.

Without underestimating the negative consequences of the administrative decisions of the leaders of the former USSR with respect to territorial matters, it must be emphasized again that any problems, however complex they may be, can be settled only through political dialogue, with due regard for the opinions and interests of the various population groups and in strict observance of the treaties and agreements entered into with the Ukrainian side and of the principles of the Conference on Security and Cooperation in Europe and the United Nations.

DOCUMENT S/26110

Letter dated 15 July 1993 from the representative of the Russian Federation to the Secretary-General

[*Original: Russian*]
[*19 July 1993*]

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Russian Federation of 14 July 1993 concerning events on the Tajik-Afghan frontier

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(*Signed*) Y. VORONTSOV
Permanent Representative
of the Russian Federation
to the United Nations

TEXT OF THE STATEMENT

On 13 July 1993 armed formations of irregular forces of the Tajik opposition and Afghan *Mujahidin*, numbering more than 200, violated the frontier and from Afghan territory made a large-scale attack on the 12th frontier post of the Moscow border detachment of the group of Russian border troops in Tajikistan. The irregular forces pillaged and burned the village of Sarigor in Tajik territory.

The forces of the Russian border troops and units of the 201st Russian Infantry Division, supported by the government armed forces of Tajikistan, managed to repel the attack decisively. They sustained casualties, both dead and wounded, including among the civilian population.

In this connection, the Ministry of Foreign Affairs of the Russian Federation expresses a strong protest to the authorities of the Islamic State of Afghanistan, since it regards this attack by bandits launched from Afghan territory as an act of aggression against the Russian border troops and against the Republic of Tajikistan, a sovereign State member of the Commonwealth of Independent States, a Member of the United Nations and a country with which the Russian Federation has close treaty relations.

The responsibility for this act of banditry lies squarely with those extremist groups in Afghanistan which are trying by all possible means to obstruct the process of stabilization in Tajikistan and this country's advancement along the path of national reconciliation and peace.

We again appeal to the leaders of Afghanistan with the urgent request that they immediately take all necessary measures to prevent such action.

At the same time, the Russian side again urgently proposes to all the political groups in Afghanistan that they abandon their irresponsible policy aimed at interfering in the internal affairs of Tajikistan.

The Ministry of Foreign Affairs of the Russian Federation is authorized to state that the Russian border troops and the 201st Division stationed in Tajikistan will take the strongest action and, in order to protect the Tajik-Afghan frontier in accordance with the obligations of the Russian Federation, will use the entire arsenal of military means available to them. They have the legal right to take appropriate retaliatory measures in the event of provocation, the perpetrators of which must realize the inevitability of retribution for any encroachments on the lives of Russian servicemen or other Russians.

Pursuant to the provisions of the Treaty on Friendship, Cooperation and Mutual Assistance between the Russian Federation and the Republic of Tajikistan, the Russian side reaffirms its readiness to provide Tajikistan with any assistance it may require, including military assistance, on the basis of the exercise of the right to collective defence under Article 51 of the Charter of the United Nations.

In the Russian Federation it is considered that, as regards the situation on the Tajik-Afghan frontier, the moment has come when the international community as a whole must adopt a responsible and realistic approach towards those forces which flagrantly violate the norms of international law, infringe the territorial integrity and sovereignty of the Republic of Tajikistan and threaten the stability and security of the entire central Asian region.

The Ministry of Foreign Affairs of the Russian Federation expresses its deep sympathy to the families and friends of the slain Russian servicemen and the citizens of Tajikistan.

DOCUMENT S/26111

Report of the Secretary-General on the United Nations Interim Force in Lebanon (for the period 23 January-20 July 1993)

[*Original: English*]
[*20 July 1993*]

INTRODUCTION

1. By its resolution 803 (1993) of 28 January 1993, the Security Council decided to extend the mandate of the United Nations Interim Force in Lebanon (UNIFIL) for a further interim period of six months, until 31 July 1993. The Council also reiterated its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries; reemphasized the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978 [*S/12611*], approved by the Council in its resolution 426 (1978); called upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate; and reiterated that UNIFIL should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions. The Council requested the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the resolution and to report to the Council.

I. ORGANIZATION OF THE FORCE

2. As of July 1993, the composition of UNIFIL was as follows:

Military personnel

Fiji	HQ UNIFIL	10	
	Infantry battalion	598	
	Force Mobile Reserve	34	
	Military police	8	650
Finland	HQ UNIFIL	12	
	Infantry battalion	480	
	Force Mobile Reserve	20	
	Military police	9	521

France	HQ UNIFIL	14	
	Composite battalion (maintenance company, defence company, armoured escort company)	416	
	Military police	10	
	Camp command	1	441
Ghana	HQ UNIFIL	23	
	Infantry battalion (including engineer company)	721	
	Force Mobile Reserve	36	
	Military police	7	
	Camp command	2	789
Ireland	HQ UNIFIL	33	
	Infantry battalion	584	
	HQ camp command	31	
	Force Mobile Reserve	17	
	Military police	12	677
Italy	HQ UNIFIL	4	
	Helicopter unit	43	
	Military police	2	49
Nepal	HQ UNIFIL	9	
	Infantry battalion	678	
	Force Mobile Reserve	29	
	Military police	5	721
Norway	HQ UNIFIL	21	
	Infantry battalion	594	
	Maintenance company	162	
	Force Mobile Reserve	36	
	Military police	16	829
Poland	HQ UNIFIL	5	
	UNIFIL hospital	71	
	Military police	2	78
Sweden	HQ UNIFIL	16	
	Logistic battalion	341	
	Engineer company	123	
	Force Mobile Reserve	4	
	Military police	8 492	
		Total	5 247

The deployment of UNIFIL as of July 1993 is shown on the map attached to this report.

3. Major-General Trond Furuhovde (Norway) took over as Commander of UNIFIL from Lieutenant-General Lars-Eric Wahlgren (Sweden) on 22 February 1993.

4. Fifty-seven military observers of the United Nations Truce Supervision Organization (UNTSO) assisted UNIFIL in the performance of its tasks. These unarmed officers are organized as Observer Group Lebanon and are under the operational control of the Force Commander of UNIFIL. They man the five observation posts along the Lebanese side of the Israel-Lebanon armistice demarcation line. They also operate five mobile teams in that part of the area of operation which is controlled by Israel. Two military observers are assigned to UNIFIL headquarters.

5. Logistic support for UNIFIL was provided by the Swedish logistic battalion, elements of the French composite battalion, the Norwegian maintenance company, the Swedish engineer company, the Ghanaian engineer company, the Polish medical unit, the Italian helicopter unit and by some sections of the civilian staff, especially in the areas of communications and vehicle maintenance. UNIFIL employed 526 civilian staff, of whom 161 were recruited internationally and 365 locally.

6. The Force Mobile Reserve, a composite mechanized company, currently consisting of elements from seven contingents (Fiji, Finland, Ghana, Ireland, Nepal, Norway and Sweden), reinforced UNIFIL's battalions during rotations and when serious incidents occurred. One platoon of the Force Mobile Reserve is permanently deployed in the Nepalese battalion sector.

7. I regret to report that one Nepalese soldier lost his life as a result of firing and an Irish soldier died of natural causes. Two others suffered injuries as a result of firing or explosions. Since the establishment of UNIFIL, 192 military members of the Force have died, 73 as a result of firing or by mine or bomb explosions, 79 in accidents and 40 from other causes. Two hundred and ninety-four have been wounded by firing or by mine or bomb explosions.

8. UNIFIL continued its programme of works at positions throughout its area of deployment in order to improve its observation capabilities and the protection of its personnel. Minor adjustments were made to the boundaries of the battalion sectors and a number

of positions were moved in accordance with operational requirements. In mid-February, the headquarters of the Ghanaian battalion was moved from Marakah to Al Qaranis near Bir as Sanasil. Work continued on the new Irish battalion headquarters near Tibnin.

9. UNIFIL continued to have difficulties in meeting its requirements of land and premises for its checkpoints, observation posts and other installations. The main reason for this is that for several years the Government of Lebanon has failed to reimburse the owners of the properties being used by UNIFIL. The last time such payments were made was in 1987. The Lebanese authorities are currently undertaking a survey of the properties used by UNIFIL, with a view to determining the level of reimbursement.

10. UNIFIL continued discussions with the Lebanese military authorities, concerning arrangements for the hand-over to the Lebanese army of certain parts of the Ghanaian battalion sector of UNIFIL's area of operation. As a follow-up to such a hand-over in 1992, an area comprising the villages of Marakah, Jinnata and Yanuh, including the former Ghanaian battalion headquarters at Marakah, was handed over to the Lebanese Army on 16 February 1993.

11. UNIFIL maintained close contact with the Lebanese authorities on matters of mutual concern. Those authorities rendered important assistance to UNIFIL in connection with the resumption of troop rotations through Beirut. Liaison and communications with the Lebanese army were further improved, and UNIFIL cooperated closely with the Lebanese gendarmerie on matters pertaining to the maintenance of law and order in the area of operation.

II. SITUATION IN THE UNIFIL AREA OF OPERATION

12. Israel continued to control in southern Lebanon an area manned by the Israel Defence Forces (IDF) and the de facto forces (DFF), the so-called "South Lebanon Army" ("SLA"). The boundaries of the Israeli-controlled area (ICA) have not been clearly defined but are determined de facto by the forward positions of IDF/DFF. It includes territory adjacent to the armistice demarcation line, parts of the Fijian, Nepalese, Irish, Ghanaian and Finnish battalion sectors and the entire Norwegian battalion sector, as well as sizeable areas to the north of UNIFIL's area of operation. Within the UNIFIL area of operation, IDF and DFF maintained 72 military positions, as shown on the attached map. The map also indicates where ICA extends beyond the limits of UNIFIL's area of operation.

13. Within the ICA, Israel maintained, in addition to the de facto forces, a civil administration and a security service. Movement between the ICA and the rest of Lebanon was strictly controlled and the ICA remained economically dependent on Israel. An estimated 3,000 jobs in Israel were held by Lebanese from the ICA. Access to such jobs was controlled by DFF and the security services. Complaints were received from several villages in the ICA about forced recruitment to the de facto forces.

14. UNIFIL continued to oppose attempts by armed elements to enter or operate within its area of deployment. At times, this led to friction at UNIFIL's checkpoints, followed by harassment and threats directed at members of the Force. Such cases were generally resolved through negotiations. However, the number of dangerous confrontations between armed elements and UNIFIL increased. The following are the more significant incidents which occurred: on 27 January, a UNIFIL patrol, which found two Sagger anti-tank missiles south-east of position 8-14B, was confronted by a group of armed elements who demanded that the patrol hand over the missiles to them. A tense situation developed, but after negotiation the armed elements left the area. On 21 February, armed elements fired 34 rounds at a UNIFIL patrol south of position 1-23. On 26 February, approximately 30 armed elements surrounded a temporary checkpoint south-east of position 5-4 and threatened its personnel. On 1 March, a roadside bomb was detonated north-east of position 1-23 as a UNIFIL patrol was passing by. On 3 April, approximately 20 armed elements surrounded position 5-5 and threatened its personnel. On 9 April, armed elements forced their way into position 5-15, when the Nepalese battalion's reserve was deployed in support it came under small arms fire. On 8 May, UNIFIL patrols were twice fired at by armed elements in the Finnish battalion sector. On the same day, seven armed elements forced their way through checkpoint 5-3. On 16 June, a UNIFIL patrol came across a booby trap in the area of position 5-11B, on a road frequently patrolled by UNIFIL. On 20 June, a UNIFIL armoured personnel carrier was fired at by armed elements in the area west of position 5-4. In the night of 20 to 21 June, the commander of a Fijian company and his escort of three soldiers were fired upon by armed elements west of checkpoint 1-6. One soldier was wounded and the officer was taken prisoner. He was later released.

15. During the period under review, UNIFIL recorded 63 operations against IDF/DFF by armed elements who have proclaimed their resistance against Israeli occupation (4 in the latter part of January, 11 in February, 4 in March, 7 in April, 15 in May, and 22 in June). This represents an increase of 44 compared to the previous reporting period. There were also many reports of attacks against IDF/DFF positions north of the Litani River. In their operations, the armed elements employed roadside bombs, rockets, mortars, rocket-propelled grenades and anti-tank missiles. Most of the rockets impacted in the ICA, while a smaller number of impacts was reported from northern Israel.

16. In responding to such attacks or initiating action themselves, IDF/DFF employed artillery, mortars, tanks and aircraft. Often, they fired into villages, causing civilian casualties. Qabrikha (1 March, 13 April, 24 April, 13 May, 25 May, 16 June), Shaqra (16 February, 24 April, 29 June), Yatar (22 February, 12 April, 20 June), Majdal Silm (13 April, 11 June), Al Qantarah (1 April, 13 May), Ghanduriyah (13 April), Ayta Az Zutt (12 April, 13 June), Haddatah (12 April, 10 June, 13 June), Jibil Al Butm (20 June), Dahr al Baydar (29 June) and Frun (13 May), were targets of such firing. UNIFIL recorded over 7,900 artillery, mortar and tank rounds fired by IDF/DFF, an increase of about 2,000 rounds over the previous reporting period.

17. On 22 February, a Nepalese soldier was killed and another wounded inside UNIFIL position 5-12A, as a result of mortar fire from an IDF/DFF position in the ICA. This incident was strongly protested to the Israeli authorities. Altogether, there were 168 instances of firing at or close to UNIFIL positions. The Irish and Finnish battalion sectors accounted for more than 70 per cent of this firing, which has been the subject of frequent protests to the Israeli authorities.

18. As in the past, UNIFIL detonated mines, roadside bombs and unexploded remnants of war, and dismantled ordnance of various types in the area of deployment. Forty-four controlled explosions were carried out.

19. UNIFIL continued to extend humanitarian assistance to the civilian population in its area, to the extent possible within available resources. Such assistance was provided in the form of medical supplies, water, clothes, food, fuel, electricity, engineering work, repairs to buildings damaged as a result of firing and escorts to farmers. In addition, water projects, equipment or services for schools and gifts of supplies to social services and needy people were provided from resources made available by troop-contributing Governments. UNIFIL medical centres and mobile teams provided care to an average of 2,500 civilian patients per month and a field dental programme was also provided. The Force cooperated closely on such matters with the Lebanese authorities, the Coordinator of the

United Nations Programme of Assistance for the Reconstruction and Development of Lebanon, the United Nations Development Programme and other United Nations agencies and programmes operating in Lebanon, as well as the International Committee of the Red Cross and other non-governmental organizations. UNIFIL personnel contributed $7,718 towards humanitarian work.

III. FINANCIAL ASPECTS

20. By its resolution 47/205 of 22 December 1992, the General Assembly authorized the Secretary-General to enter into commitments for UNIFIL at a rate not to exceed $12,190,000 gross ($11,931,500 net) per month for the period beginning 1 February 1993, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 768 (1992). Should the Security Council decide to extend UNIFIL beyond its current mandate period, the costs to the United Nations for maintaining the Force would be within the commitment authorized by the Assembly in its resolution 47/205, assuming continuance of the Force's existing strength and responsibilities.

21. As of 15 July 1993, unpaid assessed contributions to the UNIFIL Special Account for the period since the inception of the Force through 31 July 1993 amounted to $228.7 million.

IV. OBSERVATIONS

22. During the last six months, the situation in southern Lebanon, although unchanged over all, was marked by an increased level of hostilities. The attacks by armed elements against Israeli and associated military targets on Lebanese territory were generally more effective than in the past and the severity of Israeli retaliation has risen concomitantly. Despite repeated appeals, the highly escalatory practice of firing into populated areas continued, causing casualties among men, women and children.

23. UNIFIL continued, to the best of its abilities, to ensure the peaceful character of its area of operation and to limit the conflict to the extent possible. It also did what it could to protect the inhabitants from the effects of the violence. In carrying out its tasks, it was again severely hampered by firing directed at its own positions and personnel, both by the armed elements and IDF/DFF. One member of the Force was killed by such firing. I must stress once again that respect by all concerned for UNIFIL's international and impartial status is essential for it to function effectively.

24. I have noted with satisfaction the improvement of the situation in the other parts of Lebanon, which has made it possible once again to use Beirut's international airport for the rotation of UNIFIL's contingents. Similarly, the hand-over of a part of UNIFIL's area of operation to the Lebanese army is another small step forward.

25. On the other hand, the hostilities in UNIFIL's area of operation and to the north of it highlight Israel's continuing occupation of parts of southern Lebanon, despite the Security Council's repeated calls for Israel's withdrawal. As a consequence, UNIFIL continues to be prevented from implementing its mandate.

26. Israel's general attitude to the situation in southern Lebanon and to UNIFIL's mandate remains as described in previous reports. The Israeli authorities state that Israel has no territorial claims in Lebanon and that the "security zone" is a temporary arrangement. In their view, such an arrangement is needed for the purpose of ensuring the security of northern Israel so long as the Lebanese Government is not able to exercise effective authority and prevent its territory from being used to launch attacks against Israel. The Israeli authorities further consider that all issues between Israel and Lebanon should be dealt with in the bilateral talks within the framework of the peace talks, leading to a peace treaty between the two countries.

27. For its part, the Government of Lebanon takes pride in the progress it has made in restoring law and order, resettling displaced persons and moving forward towards the rehabilitation of the country. It considers that there can be no possible justification for the continuation of Israel's occupation of Lebanese territory, which it views as the root cause of the continuing hostilities in the southern part of the country. Lebanon's position is described in detail in a letter which its representative addressed to me on 14 July 1993 [*S/26083*]. In that letter, the representative also informed me of his Government's decision to request the Security Council to extend UNIFIL's mandate for a further period of six months.

28. Although UNIFIL has not been able to make visible progress towards the implementation of its mandate, its contribution to stability and the protection it is able to afford the population of the area remain nevertheless important. I therefore recommend that the Security Council accept the Lebanese Government's request and extend UNIFIL's mandate for another period of six months, that is, until 31 January 1994.

29. In making this recommendation, I must again draw attention to the serious shortfall in the funding of the Force. At present, unpaid assessments amount to some $229 million. This represents money owed to Member States which contribute the troops who make up the Force. I appeal to all Member States to pay their assessments promptly and in full and to clear their remaining arrears.

30. In conclusion, I wish to pay tribute to Major-General Trond Furuhovde, the Force Commander, and to all the men and women under his command, both military and civilian, for the manner in which they have carried out their difficult task. Their discipline and bearing have been of a high order, reflecting credit on themselves, on their countries and on the United Nations. I also pay tribute to Lieutenant-General Lars-Eric Wahlgren for his sterling contribution to the Force during more than four years as its Commander.

ANNEX

[*Map: "UNIFIL Deployment as of July 1993". See end of volume.*]

DOCUMENT S/26119*

Letter dated 16 July 1993 from the representative of the Islamic Republic of Iran to the Secretary-General

[*Original: English*]
[*20 July 1993*]

Upon instructions from my Government, I have the honour to enclose herewith a letter to you dated 16 July 1993 from Mr. Ali Akbar Velayati, the Minister for Foreign Affairs of the Islamic Republic of Iran.

I should be grateful if you would have the text circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Kamal KHARRAZI
Permanent Representative
of the Islamic Republic of Iran
to the United Nations

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* Circulated under the double symbol A/47/978-S/26119.

LETTER DATED 16 JULY 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE ISLAMIC REPUBLIC OF IRAN TO THE SECRETARY-GENERAL

The Islamic Republic of Iran has been following with grave concern the ever-deteriorating plight of the Muslim population of the Republic of Bosnia and Herzegovina, which has now turned into a campaign of genocide against a defenceless people. It is our firm conviction, and that of the overwhelming majority of the international community - as has been illustrated, *inter alia*, by the special declaration on the situation in Bosnia and Herzegovina of the World Conference on Human Rights and General Assembly resolutions 46/242 and 47/121 - that resolute action by the Security Council, without further delay is required in order to stop the genocide, bring an immediate end to the fighting, and restore the unity, sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina.

In this context, my Government considers Security Council resolution 836 (1993) as an important, though very incomplete, step which addresses the most critical and important concern: the very survival of the Bosnian Muslims. The resolution should be implemented promptly, effectively, forcefully and with the widest possible assistance and participation from the international community.

The United Nations forces must be deployed urgently, with sufficient strength both in numbers and equipment, and the necessary unambiguous mandate enabling them to perform the task envisaged in resolution 836 (1993) without being, under any circumstances, a party in attempts to divide the Republic of Bosnia and Herzegovina.

The Islamic Republic of Iran is concerned about the insufficient response of the international community, particularly from the European countries who are in the best position to provide forces for the United Nations Protection Force (UNPROFOR) for the protection of the United Nations safe areas. Against this background, a number of countries participating in the special ministerial meeting of the Organization of the Islamic Conference, held at Islamabad on 12 and 13 July 1993, including the Islamic Republic of Iran, made specific offers and commitments of forces to participate, within the overall effort, in UNPROFOR, for protection of the United Nations safe areas.

I have the honour to reiterate to you the readiness of the Islamic Republic of Iran to contribute a complete mechanized division, including its constituent elements of up to 10,000 personnel to UNPROFOR, as part of the international effort to alleviate this human tragedy, in accordance with paragraph 8 of resolution 836 (1993). The detailed composition of the proposed contribution can be elaborated by military experts.

It is the strong hope of the Islamic Republic of Iran, as well as those who participated in the recent special ministerial meeting of the Organization of the Islamic Conference at Islamabad, that other countries, particularly those from Europe, could expeditiously commit enough forces in order to guarantee that the overall strength and composition of the forces to protect United Nations safe areas is viable and appropriate to the task. We are confident that the optimal utilization of capabilities of all Member States, taking into account solely the requirements of resolution 836 (1993) and the imperative of alleviating the nightmare that is prevalent in Bosnia and Herzegovina, will be the guiding principle to the United Nations in this endeavour and its preparatory stages.

DOCUMENT S/26120*

Letter dated 20 July 1993 from the Representative of Bosnia and Herzegovina to the Secretary-General

[*Original: English*]
[*20 July 1993*]

I have the honour to present to you the attached letter dated 19 July 1993 from my President.

I should be grateful if you would have the text circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 19 JULY 1993 FROM THE PRESIDENT OF BOSNIA AND HERZEGOVINA TO THE SECRETARY-GENERAL

The Presidency of the Republic of Bosnia and Herzegovina will soon forward its proposal for negotiations on Bosnia and Herzegovina to your envoy, Mr. Stoltenberg. Our proposal envisages the federal structure of Bosnia and Herzegovina, in view of which the Republic would be composed of several federal regions, not exclusively based on ethnic principles.

We would also like to commend Mr. Stoltenberg for all his efforts made so far in seeking an equitable peace for Bosnia and Herzegovina.

My Government has been following with great interest the modalities that you have utilized successfully to reach a peace agreement in El Salvador, after a 10-year war, and more recently, to return democracy to Haiti.

The concept of "friends of the Secretary-General", which allowed you to incorporate a formal group of countries to support the efforts of your Special Representative in both of those negotiations, has proven to be extremely useful in concluding the agreements. It is based on these experiences of using a group of friends of the Secretary-General that my Government wishes to encourage you to ask a group of countries to support the efforts of your Special Representative, Mr. Stoltenberg.

I am confident that a group of countries that have proven to value multi-ethnic and multicultural principles in their own societies will be willing to contribute with you and with the people of Bosnia and Herzegovina at such a tragic point in its history.

I would like to stress to you how important we consider this request, which we believe will be of extraordinary relevance in the negotiations to bring peace to my country.

(*Signed*) Alija IZETBEGOVIC

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* Circulated under the double symbol A/47/979-S/26120.

DOCUMENT S/26121

Letter dated 20 July 1993 from the representative of Sweden to the President of the Security Council

[*Original: English*]
[*20 July 1993*]

I have the honour to transmit a letter from the Chairman-in-Office of the Council of Ministers of the Conference on Security and Cooperation in Europe, the Minister of Foreign Affairs of Sweden.

I should be grateful if you would arrange for it to be circulated as a document of the Security Council.

(*Signed*) Lars-Göran ENGFELDT
Chargé d'affaires a.i. of
the Permanent Mission of Sweden
to the United Nations

LETTER DATED 20 JULY 1993 FROM THE CHAIRMAN-IN-OFFICE OF THE COUNCIL OF MINISTERS OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE TO THE PRESIDENT OF THE SECURITY COUNCIL

In my capacity as Chairman-in-Office of the Council of Ministers of the Conference on Security and Cooperation in Europe (CSCE), I wish, in conformity with Article 54 of the Charter of the United Nations, to inform you and, through you, the members of the Security Council of the following.

The CSCE missions of long duration in Kosovo, Sandzak and Vojvodina were established in September 1992 to promote dialogues between the authorities and communities in the three regions, collect information on all aspects relevant to violations of human rights and fundamental freedoms and promote solutions to such problem as well as assist in providing information on relevant legislation on human rights, protection of minorities, free media and democratic elections.

The missions have indeed proved extremely valuable in promoting stability and counteracting the risk of ethnically motivated violence to Kosovo, Sandzak and Vojvodina.

The presence of the missions was accepted by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the value of their activities has been clearly acknowledged by that Government. At the end of June 1993, it withdrew its acceptance of the missions and its cooperation with them.

It is the considered opinion of the CSCE participating States that the decision by the Belgrade authorities not to allow the continued functioning of the missions aggravates the existing threats to peace and security in the region.

(*Signed*) Margaretha af UGGLAS
Chairman of the CSCE Council

DOCUMENT S/26127

Note by the Secretary-General

[*Original: English*]
[*21 July 1993*]

The Secretary-General wishes to transmit the letter dated 20 July 1993, addressed to him by Mr. Rolf Ekeus, Executive Chairman of the Special Commission, upon the completion of the latter's mission to Iraq to seek compliance with the Council's decision of 18 June 1993 [*S/25970*].

LETTER DATED 20 JULY 1993 FROM THE EXECUTIVE CHAIRMAN OF THE SPECIAL COMMISSION TO THE SECRETARY-GENERAL

I have the honour to refer to the statement issued by the President of the Security Council on 18 June 1993 [*S/25970*] and the subsequent decision that I should visit Baghdad to meet with the highest levels of the Iraqi Government in order to secure compliance with the decisions contained in that statement. I am submitting herewith my report on the proceedings and the outcome of my visit to Baghdad and I request that it be circulated as a document of the Security Council.

(*Signed*) Rolf EKEUS
Executive Chairman
of the Special Commission

ANNEX

Report to the Secretary-General by the Executive Chairman of the Special Commission established pursuant to paragraph 9 (*b*) (i) of Security Council resolution 687 (1991)

INTRODUCTION

A. *Background*

1. After consideration by the Security Council of a report by the Secretary-General [*S/25960*], the President of the Security Council issued an agreed statement [*S/25970*] on 18 June 1993 regarding the Government of Iraq's refusal to comply with certain instructions of the Special Commission. In that statement, the members of the Council stated that "Iraq must accept the installation by UNSCOM of monitoring devices at the rocket test sites in question and transport the chemical weapons-related equipment to a designated site for destruction." It further concluded that "Iraq's refusal to comply with the decisions of the Special Commission as set out in the report of the Executive Chairman constitutes a material and unacceptable breach of the relevant provisions of resolution 687 (1991), which established the cease-fire and provided the conditions necessary for the restoration of peace and security in the region, as well as violations of Council resolutions 707 (1991) and 715 (1991) and the plans for ongoing monitoring and verification approved thereunder." The Council "demanded that the Government of Iraq immediately comply with its obligations under resolutions 687 (1991), 707 (1991) and 715 (1991)".

2. In the period following the issuance of the statement, the Special Commission submitted to the President of the Security Council five notes regarding the status of Iraq's compliance with that statement. In these notes, the Commission reported that, over the period 18 June to 2 July, Iraq had moved all the chemical weapons precursor production equipment and precursor chemicals to the Muthanna State Establishment, where they had been delivered to the Commission's Chemical Destruction Group. Subsequently, the Commission was able to supervise and verify the destruction of this equipment. The precursors would be destroyed during the normal course of activities of the Chemical Destruction Group.

3. However, as of 8 July, the Special Commission was unable to report any progress on the installation of the monitoring cameras at the two rocket test sites. Indeed, the member of the Office of the Special Commission sent to establish, in contacts with the Iraqi side, the modalities for the installation of the cameras was told by a senior Iraqi official that Iraq would not accept their immediate installation because such installation would be one of the measures in the implementation of ongoing monitoring and verification as approved under resolution 715 (1991), a matter still the subject of discussion between Iraq on one side and the Special Commission and the Security Council on the other. In the light of the position of the Government of Iraq, the Commission's installation team, which had spent over a month in Iraq awaiting favourable developments to allow it to proceed with its mission, was instructed by the Executive Chairman to withdraw on 5 July.

4. On 8 July, the Executive Chairman of the Special Commission informed the President of the Security Council that he had received information that Iraq was dismantling and moving the equipment at the test sites in question so as to render them inoperative. However, as an interim measure because the sites could be reactivated at very short notice, the Commission, after having informed the Security Council, was dispatching immediately a team of ballistic missile experts to Iraq to seal the relevant equipment and facilities at both sites so as to ensure that they were not used for any testing purposes until the monitoring cameras had been installed. This team arrived in Baghdad on 10 July and was informed by Lieutenant-General Amer Rashid, director of Iraq's Military Industrialization Corporation, that sealing the sites was unnecessary as they were no longer operative. The Commission could inspect the equipment at the place to which it had been moved at any time. The Executive Chairman nevertheless instructed the Commission's Chief Inspector to proceed to the test sites and to affix seals to the test stands in accordance with the procedures that had been reported to the Council in the Executive Chairman's note of 8 July and approved by the Council. When the Chief Inspector attempted to affix the seals, his Iraqi counterpart intervened and blocked him from proceeding. Upon being informed of this, the Executive Chairman instructed the Commission's team to leave Iraq immediately.

5. On 11 July, the Minister for Foreign Affairs of Iraq, Mr. Mohammed Said Al-Sahaf, addressed a letter [*S/26072*] to the President of the Council in which he explained Iraq's refusal to permit the sealing of the sites and the equipment. He stated that the Special Commission would begin "implementing the provisions of resolution 715 (1991) without having committed itself to informing the Council that Iraq's compliance with the provisions of section C of resolution 687 (1991) makes it incumbent upon the Council to begin considering in earnest the implementation of paragraph 22 of resolution 687 (1991), i.e., lifting the economic sanctions imposed on Iraq."

6. On 12 July, the Executive Chairman reported to the President of the Security Council on the outcome of the attempt to seal the two sites and the equipment. Referring to the failure of all efforts by the Special Commission either to monitor the sites or, in the absence of monitoring, to ensure their non-use until such time as effective monitoring could commence and, in particular, to the letter of the Foreign Minister of Iraq, the Executive Chairman stated that the matter had been unequivocally raised by Iraq from a specific issue of monitoring two missile-engine test sites to the level of the principle of Iraq's acceptance of ongoing monitoring and verification under resolution 715 (1991). While an interim solution preventing use of the missile test sites might be possible, the permanent solution, through the installation of monitoring cameras, would not be found until Iraq could be convinced that it must accept and implement resolution 715 (1991), which was a decision of the Security Council based on Chapter VII of the Charter. The Special Commission had always understood resolutions 687 (1991), 707 (1991) and 715 (1991) to constitute an indissoluble whole, and it had acted accordingly. The Special Commission could not, therefore, consider reporting to the Council under paragraph 22 of resolution 687 (1991) until it deemed Iraq to be in compliance not only with that resolution, but also with resolution 707 (1991) and, in particular, resolution 715 (1991). In the present circumstances, there might be some utility in conveying this message, with the full support of the Council, to the highest levels of the Iraqi Government.

7. On 12 July, the Security Council held an informal session to consider the Executive Chairman's note of that date and it was decided that the Executive Chairman should visit Baghdad for the purposes stated above.

B. *Mission to Baghdad*

8. On 13 July, the Executive Chairman left United Nations Headquarters for Baghdad. He was accompanied by the following members of the staff of the Office of the Special Commission: Mr. John F. Scott, Mr. Tim Trevan and Ms. Olivia Platon.

9. The special mission visited Baghdad from 15 to 19 July. Over the course of its stay, the Executive Chairman and the members of his staff held the following six meetings at the highest levels of the Government of Iraq:

Date and time	*Representation by Iraq (principal members of the delegation)*
15 July	
1930-2140 hours	Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs
	Mr. Human Abdul Khaliq, Minister of Higher Education and Scientific Research, and Chairman, Iraqi Atomic Energy Commission
	General Amer Muhammad Rashid, Director, Military Industrialization Corporation
	Mr. Saadoon Al-Zubeidi, Ministry for Foreign Affairs
	Mr. Abdul Halim Al-Hajjaj, Iraqi Atomic Energy Commission
	Mr. Hossam Muhammad Amin, Chief Iraqi Counterpart
	Mr. Said Al-Musawi, Ministry for Foreign Affairs
16 July 1993	
1030-1300 hours and 1900-2150 hours	Mr. Tariq Aziz, Deputy Prime Minister (accompanied by the above delegation)
18 July 1993	As above, with the addition of Mr. Riyadh Al-Qaysi,
1145-1300 hours and 2000-2350 hours	Undersecretary, Minister for Foreign Affairs
19 July 1993	As above
0800-1200 hours	

10. The first four of the above meetings were held in plenary session; the fifth was a private meeting, initially between the Deputy Prime Minister and the Executive Chairman, and later with the participation of the Foreign Minister, the Minister of Higher Education and Scientific Research, the Director of the Military Industrialization Corporation, the Under-Secretary for Foreign Affairs and Mr. Scott. The sixth meeting started with a private session between the Under-Secretary for Foreign Affairs and Mr. Scott, followed by a private meeting between the Deputy Prime Minister, the Foreign Minister, and the Executive Chairman, and ending with the additional participation of the Minister of Higher Education and Scientific Research, the Director of the Military Industrialization Corporation, the Under-Secretary for Foreign Affairs, Mr. Scott, Mr. Trevan and Ms. Platon.

I. DISCUSSIONS

11. In the course of the meetings, a frank, serious and comprehensive exchange of views took place. These meetings ended on a positive note. At the fourth meeting, the delegation of Iraq presented a position paper. In preparation for the fifth meeting, the Executive Chairman presented initial written comments on the Iraqi position paper, together with the Special Commission's position paper containing proposals that had been presented orally in the earlier discussions. These papers are set out below.

A. *Iraqi position paper*

> "Although Iraq understands that the implementation of its obligations under section C of resolution 697 (1991), which is what has been accomplished, makes it incumbent upon the Council to implement paragraph 22 of the said resolution, which has not been accomplished, Iraq, desirous to cooperate further with the Council and the Special Commission in order to reach a solution to the outstanding issues and lift the blockade imposed upon its people, presents the following proposals:
>
> "1. Iraq is ready to comply with the provisions of the plans of ongoing monitoring and verification as contained in resolution 715 (1991).

"2. The Security Council and the Special Commission hereby undertake that, while implementing the said plans, they shall respect the sovereignty, internal security and dignity of the people and State of Iraq.

"3. The Security Council and the Special Commission hereby pledge themselves to guarantee, while implementing the said plans, Iraq's right to industrial, scientific and technological progress and to development in all fields not covered by the prohibitions contained in resolution 687 (1991).

"4. Whenever it is necessary for the Special Commission to carry out aerial tasks of monitoring and verification, the Commission shall use Iraqi means, such as helicopters and reconnaissance aircraft, instead of non-Iraqi means, or shall use other means agreed upon by both sides.

"5. The Special Commission hereby undertakes that the implementation of monitoring and verification tasks in the nuclear, chemical and biological fields shall be carried out in accordance with the rules and methods adopted in the relevant international agreements currently in force.

"6. The Security Council and the Special Commission hereby undertake to implement immediately and fully paragraph 22 of resolution 687 (1991) without any additional conditions.

"7. The Security Council undertakes to lift the embargo stated in paragraph 24 of resolution 687 (1991).

"8. The Security Council and the Special Commission hereby pledge themselves to work immediately and in earnest on the implementation of paragraph 14 of resolution 687 (1991), in which the Council makes clear that the actions to be taken by Iraq under the paragraphs related to the weapons of mass destruction 'represent steps towards the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons', and also to ensure that the measures of prohibition, monitoring and verification applied to Iraq, including those to do with ballistic missiles, are part of the plans applied to all countries of the region without exception. It is also natural to reaffirm Iraq's right to benefit from the advantages of implementation which accrue to the countries of the region.

"9. Taking into consideration the affirmation made by the Security Council of the commitment of all Member States to the sovereignty, territorial integrity and political independence, of Iraq, which constitutes a comprehensive and unequivocal obligation on all States, including the States members of the Security Council, Iraq demands from the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and France, in accordance with their commitments under the Charter of the United Nations, particularly as they are permanent members of the Security Council, and compliance with the provisions of the Security Council resolutions adopted under Chapter VII, including resolution 687 (1991), to show full respect to Iraq's sovereignty, security and territorial integrity, to bring to an immediate end the air embargo which they have imposed to the south of parallel 32 and to the north of parallel 36, to cease violating Iraq's airspace and to refrain forthwith from interfering in the internal affairs of Iraq."

B. *Initial comments by the Executive Chairman of the Special Commission on the position paper presented by the Government of Iraq*

"1. The position paper presented by the Government of Iraq is of a comprehensive nature and many of the issues with which it deals fall outside the competence of the Special Commission. Furthermore, certain paragraphs are addressed both to the Security Council and to the Special Commission. The Executive Chairman can make no comment upon nor enter into any commitment insofar as the issues concerned are addressed to the Council or certain members of the Council and seek action by the Council or certain of its members. The Executive Chairman will, of course, submit the Government of Iraq's position paper to the Security Council for its consideration as part of his report on the outcome of his present mission. The paragraphs that follow contain some preliminary comments by the Executive Chairman on issues raised in the position paper that come within the areas of responsibility of the Commission.

"2. The undertaking by Iraq in paragraph 1 of its position paper is welcomed. In this context, attention is drawn to paragraph 7 of the Executive Chairman's position paper.

"3. In paragraph 2 of Iraq's position paper, it is suggested to insert the words 'in accordance with the Charter of the United Nations' after the words 'they shall'.

"4. Paragraph 3 of Iraq's position paper reflects the intentions of the Special Commission in the discharge of its responsibilities under its plan for ongoing monitoring and verification.

"5. In respect of paragraph 4 of Iraq's position paper, attention is drawn to paragraph 4 of the Executive Chairman's position paper, which reflects the intentions of the Special Commission in this regard.

"6. The concerns of the Special Commission regarding paragraph 5 of Iraq's position paper would be met if the end of this paragraph were to read as follows: 'carried out in the same spirit as relevant international agreements in the field of arms control and disarmament'.

"7. In respect of paragraph 6 of Iraq's position paper, the Special Commission would be prepared to give an undertaking that it will report to the Security Council, under paragraph 22 of resolution 687 (1991), when it is satisfied that Iraq is in compliance with its obligations under paragraphs 8, 9, 10, 11, 12 and 13 of that resolution. It is for the Council to decide upon the action it takes in the light of such a report.

"8. Paragraph 7 of Iraq's position paper falls outside the competence of the Special Commission, paragraph 24 of resolution 687 (1991) laying down that the lifting of the embargo referred to in that paragraph will be made by a 'further decision' of the Security Council.

"9. In respect of paragraph 8 of Iraq's position paper, implementation of paragraph 14 of resolution 687 (1991) is not addressed to the Special Commission. The Special Commission has, and will continue, to draw attention to the importance of this paragraph for the maintenance of international peace and security in the region. The Special Commission is also aware of the significance of the successful carrying out of its own mandate to the realization of the goal set out in paragraph 14 of the resolution.

"10. The matter dealt with in paragraph 9 of Iraq's position paper is entirely outside the competence of the Special Commission, and is addressed to three of the permanent members of the Security Council. The attention of these members will be drawn to this paragraph when the Executive Chairman presents his report to the Council."

C. *Position paper by the Executive Chairman of the Special Commission*

"I. *Introduction*

"1. The Executive Chairman of the Special Commission (UNSCOM) has undertaken his present mission to Iraq in order to seek full compliance with the Security Council's decision of 18 June 1993. He has, in this context, addressed in particular the issue of acknowledgement by Iraq of its obligations under Security Council resolution 715 (1991) and the plans approved thereunder and the issue of the monitoring of the rocket-engine test sites at Yawm Al- Azim and Al-Rafah. After an extensive review with the Deputy Prime Minister of Iraq, other senior Ministers and officials, the Executive Chairman presented to Iraq the following proposals as a basis for obtaining full compliance with the Council's decision.

"II. *Security Council resolution 715 (1991) and the plans approved thereunder*

"2. The objective of the Secretary-General's plan [*S/22871/Rev.1 of 2 October 1991*] for ongoing monitoring and verification of Iraq's compliance with relevant parts of section C of Security Council resolution 687 (1991), approved by the Council in its resolution 715 (1991), is defined in paragraph 10 of resolution 687 (1991). That objective is to monitor and verify Iraq's unconditional undertaking not to use, develop, construct or acquire any of the items specified in paragraphs 8 and 9 of the resolution. The Special Commission will carry out its responsibilities under the plan in good faith and with this sole objective in view.

"3. Part B of the plan, in particular paragraphs 16 to 24, define the general rights of the Special Commission. These general rights are comprehensive in nature. The full cooperation and goodwill of the Government of Iraq in carrying out the plan will be the determining factor as to the extent to which the Commission will be obliged to invoke and insist upon its rights. If the necessary cooperation and goodwill are forthcoming, this will permit the development of a routine whereby the Commission can operate in an unobtrusive manner, without unnecessarily hampering or delaying the normal activities at locations which are being inspected, and with due regard to Iraq's sovereignty, independence, security and dignity in accordance with the Charter of the United Nations.

"4. Without prejudice to its rights to provide its own full logistical support, including transport, in the carrying out of its responsibilities, the Special Commission intends to avail itself of those provisions in the plan pursuant to which the Government is required upon request to provide logistical and technical support, including flights for purposes specified in paragraph 17 of the plan. The extent to which the Commission will so avail itself will depend upon the prevailing situation of confidence, the availability of local logistical and technical support which would meet the Commission's requirements and experience in its use.

"5. The Special Commission will be prepared to review with the Government, from time to time, the operations and execution of the plan and will examine in good faith any considerations that the Government may raise and will determine what action, if any, it can take to accommodate the Government's concerns within the scope of its responsibilities to the Security Council and the effective and efficient performance of its functions.

"III. *Monitoring of the two rocket-engine test sites*

"6. Iraq has agreed, on an interim basis, to permit the installation of cameras at Yawm Al-Azim and Al-Rafah under modalities which have been arrived at between Iraq and the Special Commission.

"7. This has been done in order to facilitate the initiation of high-level technical talks between Iraq and the Special Commission. Iraq and the Special Commission are agreed that a principal topic to be discussed will be the nature and implementation of ongoing monitoring and verification pursuant to the resolutions of the Security Council."

II. CONCLUSIONS

12. In so far as it relates to the responsibilities of the Special Commission, the Commission believes that the position paper presented by Iraq contains positive elements which permit the Commission and Iraq to commence, as soon as possible, high-level technical talks in New York. In view of these elements, Iraq and the Commission are agreed that a principal topic to be discussed will be the nature and implementation of the provisions of the plans for ongoing monitoring and verification as approved by resolution 715 (1991), as well as all other outstanding issues between Iraq and the Commission. This will be done with a view to resolving the aforesaid issues.

13. In arriving at the above conclusion concerning the initiation of the high-level technical talks, the Special Commission notes that Iraq has agreed, on an interim basis, to permit the installation of cameras at Yawm Al-Azim and Al-Rafah. The Special Commission will shortly dispatch a technical team to undertake such installation. The long-term solution of this issue will be one of the topics to be covered in the aforementioned talks, including the question of the activation of these cameras. Pending the outcome of those talks, the Deputy Prime Minister of Iraq has given the Executive Chairman of the Special Commission explicit assurances that Iraq will provide the Commission with adequate notice of any test firings to permit it to observe those firings and will facilitate inspections of the two sites by the Commission at such times and as frequently as the Commission shall deem necessary.

14. The above conclusions have been read to the delegation of Iraq. It is agreed that they represent common understandings arrived at during the Executive Chairman's mission.

DOCUMENT S/26128

Letter dated 19 July 1993 from the representative of Ukraine to the Secretary-General

[*Original: English*]
[*21 July 1993*]

With reference to the letter dated 30 June 1993 addressed to you by the representatives of Austria, Bosnia and Herzegovina, Croatia, the Czech Republic, Hungary, Italy, Poland, Slovakia and Slovenia, States participating in the Central European initiative [*S/26017*], I have the honour to inform you that Ukraine joins the above-mentioned countries in sponsoring an appeal for the reopening of the Adriatic pipeline, which will be a positive contribution to the peaceful efforts to normalize the situation in the war-torn areas of the former Yugoslavia.

I would appreciate it if you could arrange for the circulation of this letter as a document of the Security Council.

(*Signed*) Victor H. BATIOUK
Permanent Representative
of Ukraine
to the United Nations

DOCUMENT S/26129

Letter dated 21 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*21 July 1993*]

I have the honour to inform you of current developments in the conflict between Armenia and Azerbaijan.

In spite of the efforts made by the Conference on Security and Cooperation in Europe to achieve a political settlement of the conflict between Armenia and Azerbaijan, the Armenian side continues to commit acts of aggression against Azerbaijan. After the recent visit to the region by Mr. Raffaelli, Chairman of the Minsk Conference, in which practical aspects of the implementation of the schedule of urgent measures proposed by the Minsk Group were clarified, the Armenian side yet again has violated the agreements that have been reached.

On 21 July, at 0700 hours local time, Armenian artillery, firing from three directions, began a concentrated rocket artillery shelling of the city of Agdam and its suburbs. At 0800 hours, Armenian troops, having completed artillery preparation, mounted a large-scale offensive against Agdam. By 1230 hours, they had succeeded in capturing Agdam's southern suburbs of Muganly and Shykhbalaly. Using heavy weapons, the Armenian troops are carrying out a further advance on Akhmedavar and Marzily, settlements in close proximity to Agdam.

These facts are unmistakable proof of Armenia's intention to continue the aggression against Azerbaijan. At the same time, without any validity, it declares its willing commitment to a peaceful settlement of the conflict and its support of Security Council resolution 822 (1993).

The Azerbaijani side repeats its conviction that unless the international community, through the United Nations, condemns the invasive actions of Armenia, the latter will continue with impunity its aggression against Azerbaijan, thereby violating international peace and security in the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26132

Letter dated 21 July 1993 from the representative of Kuwait to the Secretary-General

[*Original: Arabic*]
[*22 July 1993*]

I have the honour to transmit to you a letter dated 21 July 1993 from Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, First Deputy Prime Minister and Minister for Foreign Affairs of Kuwait, in response to the letter of 6 June 1993 addressed to you by the Minister for Foreign Affairs of the Iraqi regime [*S/25905*].

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Mohammad A. ABULHASAN
Permanent Representative
of Kuwait
to the United Nations

LETTER DATED 21 JULY 1993 FROM THE FIRST DEPUTY PRIME MINISTER AND MINISTER FOR FOREIGN AFFAIRS OF KUWAIT TO THE SECRETARY-GENERAL

The Government of Kuwait has taken note of the letter dated 6 June 1993 addressed to you by the Minister for Foreign Affairs of the Iraqi regime concerning Iraq's position on Security Council resolution 833 (1993). Before conveying its response to that letter, Kuwait would like to state once more that it welcomes the statement made on behalf of the Security Council on 28 June 1993 [*S/26006*] in response to the letter from the Minister for Foreign Affairs of the Iraqi regime and views that statement as a collective international response that rejects Iraqi claims against the sovereignty and independence of Kuwait and any encroachment on its territorial integrity and on the right of its people to express its will and determination to preserve its existence and its distinctive personality.

Kuwait further reaffirms that it welcomes the emphasis placed by the Council on the importance of the demarcation of the boundaries for building regional security and peace, on the linkage between that process and international peace and security and on the contribution of the boundary demarcation to ensuring stability and calm in the region.

Since independence, Kuwait has suffered from Iraq's attempts at blackmail, expansion and hegemony and at securing a privileged position in the region to the detriment of the rights of others. The Iraqi regime has used the threat of force to make such gains and has followed a method of systematic encroachment in order to violate Kuwaiti territory in disregard of Kuwait's sovereignty and without consideration for the sentiments of its people with a view to attaining a new geopolitical situation in which new resources become available to the Iraqi economy that will enable it to exercise dominance and fulfil its dreams of expansion and of building the Iraqi model of affluence. This is set out in a book by the Iraqi President's press secretary, *Harb Talid Ukhra* ("One War Begets Another"), as follows:

> "Iraq has pursued a policy of seeking to enjoy a secure strategic position at any phase of confrontation with Iran. A durable peace is only attained by the creation of a wide outlet to the sea that will bar the way to encirclement and attempts to detach southern Iraq and obstruct the Iraqi waterway through which Iraq's oil is exported." (p.30)

The Iraqi regime has pursued this policy with a meticulousness and consistency that confirm the dimensions of Iraqi strategic objectives, the essence of which is to annex Kuwaiti territory in the north and among the islands through diplomacy based on intimidation or by open aggression and resort to violence. This is what Kuwait had been living with since independence, and it culminated in the perfidious aggression of 2 August 1990.

In the preamble to its resolution 687 (1991) of 3 April 1991, the cease-fire resolution, the Security Council reaffirms the need for an unequivocal, documented and definitive end to Iraqi claims in Kuwait and for the demarcation of the boundaries between the two countries on the basis of the existing agreements, documents and exchanges of letters. Iraq's compliance with and faithful implementation of these provisions are basic and vital to the cease-fire and the arrangements made subsequently. Given that Iraq agreed unconditionally and unreservedly to all the provisions of resolution 687 (1991), the cease-fire resolution, we shall discuss objectively and impartially some of those aspects addressed in the letter of the Minister for Foreign Affairs of the Iraqi regime.

I

In its letter of 6 June 1993, the Iraqi regime reaffirms the positions adopted by it in the past, and as set forth in letters of 2 April 1991 and 21 May 1992, on resolution 687 (1991), on the report of the Secretary-General on the establishment of the Iraq-Kuwait Boundary Demarcation Commission and on the Commission's decisions. As is well known, the Secretary-General refuted the aforesaid Iraqi position in his letter dated 2 April 1991 addressed to the Minister for Foreign Affairs of the Iraqi regime, and the Security Council did likewise in the statements made on its behalf by its President on 17 June 1992 and 28 June 1993.

The Iraqi regime's persistence in reiterating such positions is tantamount to proof of its intransigence, its lack of credibility, its duplicity and its failure to honour its commitments.

II

Throughout, the Iraqi letter makes a point of ignoring the fact that the Security Council reached its decision to request the Secretary-General to lend his assistance in the demarcation of the boundary between Kuwait and Iraq in accordance with its responsibility as set forth in Article 39 of the Charter of the United Nations, which reads as follows:

> "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security."

This is to say nothing of the fact that, by its invasion and occupation of Kuwait, Iraq pre-empted any internationally acceptable means of resolving the boundary conflict it had created and it thereupon became necessary for the problem to be solved by United Nations intervention and under United Nations auspices.

III

It is appropriate to stress once more that Iraq's acceptance of resolution 687 (1991), and its acceptance also by the Iraqi National Assembly and not only by the Government of the Iraqi regime, is a definite and clear indication of agreement by the executive and legislative authorities to resolution 687 (1991) in its entirety, including its demarcation provisions. Thus the contention that resolution 687 (1991) was imposed on Iraq and allowed it no latitude in which to exercise the freedom to adopt the appropriate position in its regard is refuted.

IV

Protest at the decisions of the Boundary Demarcation Commission and the resolutions of the Security Council and the assertion that such decisions came about as a result of an international conspiracy against Iraq amount to no more than an expedient for Iraq to evade its obligations towards the Security Council and the international community and an attempt to give currency to an anomalous viewpoint in order to serve its aggressive and expansionist schemes in the region.

V

The Iraqi letter refers to the resignation of the first Chairman of the Commission owing, so it claims, to his hesitation concerning the possibility of beginning the demarcation of boundaries in the Khawr'Abd Allah. This is an interpretation of matters that is based on pure conjecture and that does violence to the truth rather than one based on documentary evidence and the facts as plainly evident from the text of the Chairman's letter on the non-renewal of his contract. There, he requests termination of his appointment as Chairman of the Commission for personal reasons connected with his governmental duties.

VI

Iraq raises particular objections to the terms of reference of the Boundary Demarcation Commission as they relate to demarcation in the Khawr'Abd Allah by invoking considerations that are unsound. We should here like to make the following points:

1. To say that the Khawr'Abd Allah is not correctly characterized as a territorial sea is to disregard the law of the sea in general and the legal regime of the territorial sea in particular, which has become a customary international norm codified by the 1982 Convention on the Law of the Sea [10] and defined in Part II of the Convention, articles 2 to 7, concerning the legal regime to be applied to the territorial sea. Article 15 of the Convention lays down the basic rules for delimitation of the territorial sea between States with opposite or adjacent coasts by recognizing the median line as the basis for the delimitation of maritime boundaries failing agreement between the two States. The rule operates by agreement of the two States or in accordance with other arrangements determined by the international community, whether through its judicial organs such as the International Court of Justice or in the framework of the Security Council, which is precisely what happened in the present case under the terms of Security Council resolution 687 (1991).

2. To say that the Khawr'Abd Allah area does not constitute a territorial sea is, moreover, an argument against Iraq and not in its favour. To maintain such a position must imply that the Khawr'Abd Allah is part of the internal waters of the two States, and it is not rational or logically conceivable that the process of demarcating the boundaries between two States should not involve the delimitation of their internal waters wherever they come together.

3. Kuwait and the United Nations would have welcomed the continued presence of the Iraqi representative in the Commission so that he could have continued to make his observations there instead of outside the Commission.

4. Iraq considers that, in its report of 20 July 1992 transmitted to the Security Council by the Secretary-General on 12 August 1992, the Commission requested the Council to grant it authority to demarcate the boundaries in the Khawr'Abd Allah sector. In fact, the Commission was referring to its past work, including a review of the eastern section of the boundary, east of the junction of the Khawr al-Zubayr and the Khawr'Adb Allah (para. 295). The report also indicates that the Commission had decided to consider the demarcation of boundaries in the Khawr'Abd Allah at its sixth session (para. 297). Thus Iraq's claim that, in one way or another, the Security Council permitted the Commission to demarcate the boundary in the Khawr'Abd Allah at the request of the Commission itself is untrue. In paragraph 3 of its resolution 773 (1992), the Council welcomes "the decision of the Commission to consider the eastern section of the boundary, which includes the offshore boundary, at its next session" and requests it only to begin "to demarcate this part of the boundary as soon as possible and thus complete its work".

5. Furthermore, as Iraq admits, the Boundary Demarcation Commission discussed the offshore area and the Khawr'Abd Allah at its fifth, sixth, seventh and eighth sessions over an eight-month period. This refutes any charge of precipitousness in the Commission's work or concerning the soundness of that work or any failure to accord Iraq the opportunity to state its position or discuss the matter under consideration. It should also be recalled that the representative of Iraq attended the Commission's meetings up to its sixth session.

6. The Iraqi letter claims that the description of the boundary endorsed by the Security Council as a basis for demarcation does not include a characterization of the boundary in the Khawr'Abd Allah area and that there is therefore no delimitation of boundaries that is agreed on by the parties concerned. Iraq thus chooses to forget the demarcation formula adopted by the Commission, which includes the arrangement concerning the islands forming an integral part of the existing boundaries and mentioned in the exchange of letters of 1932:

> "... and so on to the junction of the Khor Zobeir with the Khor Abdullah. The islands of Warbah, Bubiyan, Maskan (or Mashjan), Failakah, Auhah, Kubbar, Qaru and Umm-el-Maradim appertain to Koweit".

The 1963 agreement [11] confirmed the boundary description as it was, so that if this formula did not constitute a description of the boundaries in the Khawr'Abd Allah area that authorized the Commission to demarcate them, what then was the formula of the boundary description?

7. Furthermore, the claim made in the Iraqi letter that the Khawr'Abd Allah area is not formed of the territorial waters of the two States is not only contrary to reality and the true state of affairs but contrary to the position adopted by Iraq in the past, as is shown in the Coucheron-Aamot report, drawn up at the request of the Iraqi Government in 1959, where it states that Iraqi territorial waters extend to the median line.

8. In its letter, the Iraqi regime once again contradicts itself with the claim that there are "special circumstances" in the Khawr'Abd

Allah area. When it asserts, on the basis of the United Nations Convention on the Law of the Sea, that the existence of such special cases justifies the demarcation of boundaries that depart from the median line, Iraq admits that the waters in question are territorial waters, given that the Convention only makes deliberate reference to special circumstances in its article 15 and that article concerns the delimitation of the territorial sea between States with opposite or adjacent coasts. Moreover, Iraq does not in any way identify the special circumstances that can be mentioned in this connection but merely asserts that it has "historic rights" in the Khawr'Abd Allah without producing any evidence to that effect and says only that Kuwait does not "carry on substantial navigation" in these waters. Acceptance of such a statement would make international maritime law subject to fluctuation and extinction in this field. Is it reasonable to accept and acknowledge the "historic rights" of a State in an offshore area on the grounds that it uses the area more than others? If we are to rely on history, and we also seek support there, then the Khawr'Abd Allah was named for Sheikh Abd Allah ibn Sabah, third Amir of Kuwait.

9. Furthermore, the interpretation given in the Iraqi letter that the Khawr'Abd Allah is one of the cases of special circumstances provided for in article 15 of the Convention on the Law of the Sea has no basis in the facts of the situation or in the logic of law. Invocation of special circumstances can only take place where adoption of the median-line rule would lead to the separation of part of the territory of a State from its territorial sea, and this would be plainly obvious.

VII

The contention made in the Iraqi letter that the demarcation of the boundary in the Khawr'Abd Allah area as decided by the Demarcation Commission may pose a threat to Iraq's right of access to the sea in exercise of its right to safe and unrestricted navigation and may in future place it in the position of a land-locked country overlooks the following facts:

1. In paragraph 97 of its final report [*S/25811, annex*] and at numerous other points, the Boundary Demarcation Commission guarantees the right to safe and unrestricted navigation in the offshore area for both Kuwait and Iraq:

> "... navigational access is possible for both States through the Khowr Zhobeir, the Khowr Shetana and the Khowr Abd Allah to and from all their own respective waters and territories bordering their boundary. ... this right of navigation and access is provided for under the rules of international law as embodied in the United Nations Convention on the Law of the Sea ratified by both Iraq and Kuwait. ... it is also the view of the Commission that the right of access implies a non-suspendible right of navigation for both States."

2. In paragraph 5 of its resolution 833 (1993), the Security Council:

> "Demands that Iraq and Kuwait in accordance with international law and relevant Security Council resolutions respect the inviolability of the international boundary, as demarcated by the Commission, and the right to navigational access."

3. Kuwait will be bound by the decisions of the Boundary Demarcation Commission and the resolutions of the Security Council, as affirmed in the statement of the Kuwaiti Council of Ministers transmitted by the letter dated 16 June 1993 from our representative addressed to the Secretary-General [*S/25963*]:

> "[The Council] has demanded that Iraq and Kuwait, in accordance with international law and relevant Security Council resolutions, respect the inviolability of the international boundary, as demarcated by the Commission, and the right to navigational access."

4. Kuwait, like Iraq and like any other State, is not responsible for the boundary situation of any other State, for the coastline that it does or does not have, for the resources that it enjoys or lacks, or for its climate. These are factors that have been decided by history, geography and politics.

5. Iraq has a coastal strip that opens on the Gulf and extends for more than 69 kilometres along the northern shore of the Khawr'Abd Allah. This is in addition to the Shatt al-Arab and to the Khawr al-Zubayr in its entirety. Iraq has a number of ports, the most important of which are the commercial ports at Umm Qasr and Basra on the Shatt al-Arab and Mina' al-Bakr on the Gulf itself where the largest oil-tankers can be loaded.

6. Furthermore, the Iraqi regime is always boasting through its information media of the speed with which it completes the construction of its wharves and harbours and the speed with which they are ready for operation and to receive vessels, so that it does not make sense that such ports should have been built on dry land and by a State that has no outlet to the sea or no coastline.

VIII

The claim made in the Iraqi letter that the decisions adopted by the Boundary Demarcation Commission represent a purely political determination imposed on Iraq without regard for its interests is contradicted by the conduct of the representative of the Iraqi regime in the Commission itself and by the following facts:

1. The representative of the Iraqi regime was in agreement with the Commission at its first meeting that the Commission's work was purely technical and that the political aspect had been addressed by the Security Council.

2. He participated in the formulation of the rules of procedure of the Boundary Demarcation Commission, which stipulated in paragraph 3 that decisions would be taken by majority and that a quorum would include at least one State representative.

3. He participated in the field visits to the border area.

4. The Commission's experts visited both Kuwait and Iraq, met with specialist technicians and requested both countries to submit whatever documentation, evidence and maps they had to support and document their claims. Kuwait submitted all the documents in its possession, including Iraqi documents, while the Iraqi regime did not submit one single document despite constant promises to the independent experts that it would do so.

5. The representative of the Iraqi regime participated prominently in the meetings of the Commission until the adoption of the decisions relating to the demarcation of the land boundaries, which occupied six sessions over a period of approximately one and a half years. Subsequently, by his own free and unilateral desire, he decided to discontinue his participation in the work of the Commission despite the repeated urging of the Chairman and members of the Commission that he should take part.

6. One of the decisions of the Commission, that relating to the Khawr al-Zubayr and placing it entirely under Iraqi sovereignty, had the effect of denying Kuwait's right to it. Kuwait voted against it, but the decision was adopted by majority and Kuwait was therefore bound by it.

7. Moreover, that the views of members of the Commission should differ in discussing a particular topic is to be expected and is self-

evident, legitimate and logical, and it does not negate the authority of decisions adopted in accordance with the majority principle.

8. The Iraqi letter itself states that the Commission gave adequate scope to Kuwait and Iraq for discussion and review of the offshore area and for the expression of their views thereon.

Finally, the true inspiration of the letter underlying its reiteration of such claims is not concern for an outlet to the sea but a spirit of expansionism and hegemony. The essence and substance of this latest Iraqi letter should be sufficient cause for the Security Council to conclude from it that Iraq is in breach of the first legal obligation presented by resolution 687 (1991), in paragraph 2 of which the Council:

> "Demands that Iraq and Kuwait respect the inviolability of the international boundary and the allocation of islands set out in the 'Agreed Minutes between the State of Kuwait and the Republic of Iraq Regarding the restoration of friendly relations, recognition and related matters',[11] signed by them in the exercise of their sovereignty at Baghdad on 4 October 1963 and registered with the United Nations".

Given its responsibility for guaranteeing the inviolability of the boundaries in question and the fact that it has the function of taking all necessary measures as required in order to achieve this goal in accordance with the Charter of the United Nations, the Security Council proceeded to adopt the statement made by its President on 28 June 1993. Iraq cannot yet request the Security Council to mitigate the sanctions imposed as long as it does not comply first and foremost with the requirement to respect the sovereignty and independence of Kuwait and the inviolability of the boundaries demarcated by the Boundary Demarcation Commission and with regard to which resolution 833 (1993) was adopted.

(*Signed*) Sabah Al-Ahmad Al-Jaber AL-SABAH
First Deputy Prime Minister
and Minister for Foreign Affairs

DOCUMENT S/26133*

Letter dated 21 July 1993 from the representative of Pakistan to the Secretary-General

[*Original: English*]
[*22 July 1993*]

A special ministerial meeting of 16 members of the Organization of the Islamic Conference (OIC) was held at Islamabad on 12 and 13 July 1993 to consider the grave situation in Bosnia and Herzegovina. The meeting adopted an Action Plan for Bosnia and Herzegovina which I had earlier forwarded to you [*S/26112, annex II*].

At the meeting, seven Islamic countries offered to contribute troops for the United Nations Protection Force (UNPROFOR) in former Yugoslavia in response to Security Council resolution 836 (1993). It is the hope of the OIC countries that you will be able to respond positively to these offers so that an adequate United Nations force can be deployed as soon as possible for the protection of the "safe areas" in Bosnia and Herzegovina.

I wish to express our appreciation to you for deputing Assistant Secretary-General Iqbal Riza and General Maurice Baril to participate in the meeting on behalf of the United Nations. The discussions held with them have helped to clarify a number of operational and other issues related to the participation of national contingents from Organization of then Islamic Conference countries in UNPROFOR. Some issues will require further discussions with the United Nations and concerned States Members of the United Nations.

The Islamic countries are deeply anguished by the severe humanitarian problems in Bosnia and Herzegovina, especially the plight of the Muslim populations in the besieged cities like Sarajevo, which are without food, fuel, medicine and even drinking water, while at the same time they are being shelled and attacked by the Serbian forces.

The Organization of the Islamic Conference Ministers were unanimous in their opposition to the imposition of any plan that would partition and dismember the Republic of Bosnia and Herzegovina. We have called for the observance of a cease-fire and cessation of hostilities as an essential prerequisite for the success of negotiations for a political settlement based on the principles of the Charter of the United Nations, the London Conference and those endorsed by the United Nations Security Council to adopt urgently a resolution demanding a cease-fire.

It is our hope that you will support the early reconvening of the London Conference as the forum for negotiations on Bosnia and Herzegovina. The reconvened Conference should include fuller representation from the Islamic countries.

It is the view of the Islamic countries that, even at this eleventh hour, the United Nations and its Member States must make every possible endeavour to halt the ongoing genocide and aggression in Bosnia and Herzegovina. We have spelt out the measures that should be taken in the Action Plan. The OIC members look forward to working in cooperation with other United Nations Member States to implement these measures to save the people of Bosnia and Herzegovina and to preserve the sovereignty, unity and territorial integrity of this Member State of the United Nations.

I shall be grateful if the text of the present letter is circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Jamsheed K. A. MARKER
Permanent Representative
of Pakistan
to the United Nations

DOCUMENT S/26135

Letter dated 22 July 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*22 July 1993*]

I have the honour to forward to you enclosed herewith the text of the statement issued on 22 July 1993 by the Ministry of Foreign Affairs of the Republic of Armenia.

I should be grateful if you would circulate this as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

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* Circulated under the double symbol A/47/981-S/26133.

TEXT OF THE STATEMENT

[*Original: Russian*]

Just before the next stage of implementation of the Conference on Security and Cooperation in Europe (CSCE) Minsk Group's peace initiative, representatives of the official structures of Azerbaijan once again resorted to propagandistic disinformation by spreading false rumours about the capture of Agdam by Karabakh forces.

In actual fact the Azerbaijani forces, which, according to some reports, are formations of Suret Guseinov, attacked the positions of the Karabakh Self-Defence Forces on 21 July 1993 from the north and south of Agdam, with the support of 12 armoured-vehicle units.

After repulsing the attack, the self-defence forces of Nagorny Karabakh went on the counter-offensive and repelled the adversary. The situation as of 1900 hours on 21 July was that Stepanakert was being shelled from the Agdam railway station with 152-mm long-range weapons, as a result of which 14 missiles hit the town.

Specific information about casualties and damage is being gathered. This information has been confirmed by representatives of the International Committee of the Red Cross and by foreign journalists who are currently in Stepanakert.

Throughout the night and morning of 22 July, fighting raged in the direction of the district centre of Askeran.

On 22 July, the Azerbaijani side used aircraft in the combat operations.

An extremely tense situation has also developed around the village of Matagno in the Mardakert region.

There is no reliable information as to whether G. Aliev was notified in advance of these operations. It is quite clear that exacerbation of the military situation around Nagorny Karabakh is part of the continuing power struggle and the internal instability in Azerbaijan, which its leadership is once again trying to resolve on the Karabakh fronts. This places entire responsibility for the escalation of the conflict with the current leaders of Azerbaijan, and casts doubt on their ability to fulfil their obligations under the CSCE peace plan.

DOCUMENT S/26136

Letter dated 22 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*22 July 1993*]

I have the honour to inform you that Armenian armed forces are continuing the attack on the city of Agdam which they began on 21 July. Battles are currently going on in the outskirts of the city. Agdam's western suburbs of Chukhurmekhle and Akhmadavar have passed under the control of Armenian armed formations. Armenian artillery is subjecting Agdam to rocket artillery shelling, directing fire also inside the city and shelling roads leading to Agdam.

According to information from the local authorities, yesterday's shelling has resulted in 40 dead and more than 100 wounded among the civilian population. There is destruction of catastrophic proportions in the city.

Reports being spread by the Armenian side about the alleged offensive mounted by the Azerbaijani army against Askeran and the shelling of Hankendi are disinformation and are an attempt to justify its flagrantly aggressive actions directed towards territories outside the highland part of Karabakh.

Early this morning, Armenian troops, supported by armoured vehicles, went into the offensive to the north of Agdam from the direction of the earlier occupied village of Chullu and also in the north of Karabakh. The high ground in the direction of the town of Terter was taken by them here. In the south of Karabakh, villages of Djebrail and Fizuli districts were shelled.

At the same time, the villages of Mor-Mor and Novoivanovka in the Kedabek district of the Azerbaijani Republic were subjected to artillery shelling from the territory of Krasnoselsk district in Armenia.

The fact that the large-scale offensive by the Armenian armed forces began on 20 July, the very day when the Karabakh Armenians were due to decide whether they agreed with the Conference on Security and Cooperation (CSCE) schedule of urgent measures, including the schedule for the withdrawal of troops from Kelbadjar district, is proof of their true aims in this conflict and their stubborn refusal to move towards a peaceful settlement.

The Azerbaijani side is convinced that the actions of the Armenian armed forces represent a gross violation of the Charter of the United Nations and calls on the United Nations and the international community as a whole to take every measure available with a view to preventing the spread of the Armenian armed aggression against the Azerbaijani Republic.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26137

Letter dated 22 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*22 July 1993*]

I have the honour to transmit to you the text of a statement of the Ministry of Foreign Affairs of the Azerbaijani Republic on the ongoing Armenian aggression against Azerbaijan.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

On 22 July 1993 elements of the armed forces of the Republic of Armenia began a large-scale offensive on the city of Agdam. Having taken the western suburbs, the occupiers are destroying the ancient city using tanks, rocket artillery and heavy artillery.

According to preliminary information, 40 civilians have died and over 100 have been injured.

It is now "customary" for the politicians of the Republic of Armenia to undertake offensive activities while various international forums are at work attempting to put an end to the bloodshed that has gone on for six years now in the long-suffering land of Azerbaijan. The current offensive, which was launched in the direction of Agdam, comes at a time when the representatives of Germany, the United States of America, the Republic of Belarus, France, Sweden, the Czech Republic, Italy, the Russian Federation and Turkey have been meeting in Rome under the chairmanship of Mr. Mario Raffaelli to search for urgent steps to normalize the situation and begin the peace process.

The latest offensive by Armenian militarists provides the starkest evidence of the unwillingness of the Republic of Armenia and the self-proclaimed leaders of the Armenian community of Nagorny Karabakh to seek to solve problems by peaceful means. The flouting of international standards of behaviour, morality and law has become a matter of course for out-and-out expansionists.

The Azerbaijani people, continuing to believe in the power of international organizations and remaining the victim of aggression, hopes that the States participating in the meetings under way in Rome will in the end make the proper assessment and adopt the necessary political sanctions against the aggressor.

DOCUMENT S/26138

Letter dated 22 July 1993 from the representative of Singapore to the Secretary-General

[*Original: English*]
[*23 July 1993*]

On behalf of the permanent representatives of the States members of the Association of South-East Asian Nations (ASEAN), I have the honour to transmit to you herewith the text of a statement on Cambodia issued by the Foreign Ministers of ASEAN on 22 July 1993.

I should be grateful if you could arrange to have the statement circulated as a document of the Security Council.

(*Signed*) CHEW Tai Soo
Permanent representative
of Singapore
to the United Nations

TEXT OF THE STATEMENT

1. We, the Foreign Ministers of the Association of South-East Asian Nations (ASEAN), welcome the formation of the Provisional National Government of Cambodia as an important step towards the establishment of a Government of national reconciliation based on the new Constitution to be drafted by the elected Constituent Assembly.

2. We reiterate our support for the efforts of His Royal Highness Samdech Preah Norodom Sihanouk, Head of State of Cambodia, to unify the Cambodian people and to bring about national reconciliation. We hope that all Cambodians will continue to set aside factional interests and work towards national reconciliation.

3. We are encouraged by the relatively calm and stable situation in Cambodia. These conditions depend on the continued functioning of the administrative and security apparatus in Cambodia. We recognize the urgent need to provide emergency financial assistance in support of the administrative, police and military structures of the interim joint administration. To this end, we urge the United Nations speedily to meet this requirement from existing funds and other sources.

4. Through the peace-keeping efforts of the United Nations Transitional Authority in Cambodia (UNTAC), the United Nations helped to create conditions for the successful conduct of free and fair elections in Cambodia. With the expiry of UNCTAC's mandate, Cambodia enters a new phase of peace-building. We call on the Security Council once again to muster the political will and the resources of the international community, as it did in UNTAC, to continue to work in partnership with the Cambodian people to achieve durable peace and stability. We welcome the continued role of the United Nations in the post-conflict peace-building process in Cambodia.

5. We also call on the international community to assist Cambodia in the enormous task of rebuilding its shattered infrastructure and its political, social and economic institutions. To this end, the International Conference on the Reconstruction of Cambodia should immediately effect the disbursement of aid and assistance already pledged at the Tokyo Conference of June 1992 for the reconstruction of Cambodia.

DOCUMENT S/26139

Letter dated 19 July 1993 from the representative of the Libyan Arab Jamahiriya to the Secretary-General

[*Original: Arabic*]
[*23 July 1993*]

I have the honour to transmit herewith a report updating the document dated 14 August 1992 [*S/24428*], concerning the damage resulting from the implementation of Security Council resolution 748 (1992) for the period 15 April 1992 to 30 April 1993.

I should be grateful if you would have this text circulated as a document of the Security Council.

(*Signed*) Ali Ahmed ELHOUDERI
Permanent Representative
of the Libyan Arab Jamahiriya
to the United Nations

ANNEX

Impact of the implementation of Security Council resolution 748 (1992) during the period from 15 April 1992 to 30 April 1993

The implementation since 15 April 1992 of Security Council resolution 748 (1992) has caused large-scale injury to the Libyan Arab people in various humanitarian and economic aspects of life, such as the following:

1. *HUMANITARIAN IMPACT*

As a result of the implementation of the aerial embargo on the Great Socialist People's Libyan Arab Jamahiriya, its citizens and various categories of aliens residing and working there have been exposed to a number of negative and extremely hazardous humanitarian effects and repercussions, including the following:

- Inability to send some 8,525 incurably ill patients abroad by air in particular urgent cases where the patients would have been moved by air ambulance or by the aircraft of other airlines, in cases involving heart disease, kidney transplants, detached retina, brain surgery, neurosurgery, bone-marrow transplants, burns and malignant diseases.

- Two hundred and thirty of these seriously ill patients who should not have been transported by land died while travelling by overland routes to the airports of neighbouring States. Because of the distance and the difficulty of travelling overland with the speed necessary to save the patient, they were doomed to certain death.

- An obstacle was placed to scheduled visits by specialized medical professors and lecturers invited from various universities and colleges in Austria, Yugoslavia, Germany, Switzerland, France, Italy, Poland and Bulgaria. Some 150 professors and specialists in various medical fields were prevented from visiting the Great Jamahiriya to treat some incurably ill cases, to perform delicate surgical interventions and to participate in university examinations and in scientific and medical conferences and symposiums held in the Great Jamahiriya.

- Conversely, many of our physicians and professors were unable to participate in a number of international conferences and seminars held in various parts of the world, and that has deprived us of observation, participation and information.

- Many medical and paramedical personnel were unable to accept work in the Great Jamahiriya as a result of the difficulties facing them. Some 2,500 personnel were unable to come to the country. More than 100 medical and paramedical personnel tender their resignations each month, and the number of personnel resigning up to the end of March was approximately 1,200. This has caused complications in the provision of medical services at various health facilities.

- The maintenance services for medical and electromagnetic equipment used in health facilities are out of operation because of the non-arrival of spare parts, orders for which totalled $10 million. The technicians responsible for the maintenance of this equipment are unable to come to the country, and this has led to the suspension of some services in many hospitals.

- The condition of many allergy sufferers has become critical because of the delay in the arrival of drugs imported by special rush order. In addition, there is a delay in the arrival of essential operational materials, which has led to the death of approximately 200 infants in the hospitals of the Jamahiriya and the deaths in child birth of 50 Libyan women.

- The joint programme agreed on with the World Health Organization (WHO) has been obstructed. Most of the visits by experts and work teams scheduled by WHO have been cancelled, and this constitutes an obstacle to the development of the health sector and impedes primary care programmes. Health cooperation is jeopardized, and attainment of the WHO objectives of achieving a health strategy for all by the year 2000 is impeded.

- The arrival of consignments of medical supplies has been delayed, and it has been difficult to unblock them because of non-arrival of data and samples of each consignment at the appropriate time. Difficulty has arisen in the delivery and storage of all sera vaccines, blood derivatives, hormones, AIDS-test reagents and irradiated iodine, and they have been exposed to spoilage and loss as a result of being imported by sea, which actually caused a transmutation to occur in infantile paralysis vaccine. Many manufacturing countries are inquiring about a way to ship these drugs that require air transport. This has caused further delays in the arrival of consignments and, consequently, their non-availability in drug stocks. In addition, they are exposed to loss and spoilage as a result of atmospheric conditions and the way in which they are handled on board vessels and in port, as happened in the case of the consignment delivered by sea from the TANSSEM company (anaesthesia and anaesthetics), when a large portion was lost.

- One hundred and fifty-six orders for medicines, equipment and other requirements were delayed. The orders related to sera, vaccines, laboratory reagents and operational items. The total value was approximately $50 million.

- As a result of the aerial embargo, traffic has increased on the land routes linking the Jamahiriya with neighbouring countries, and this has led to an increase in road accidents to more than twice the previous figure. We should like to draw attention here to the grievous accident that took the life of the late Mr. Ibrahim Bakkar, Secretary of the General People's Committee for Justice and Public Security, on 6 January 1993, during his return to the Jamahiriya after attending the meeting of Arab Ministers of the Interior held at Tunis.

II. ECONOMIC IMPACT

As a result of the imposition of the aerial embargo on the Great Jamahiriya, the national economy suffered widespread damage. Economic activities were also affected by the embargo. So far as it is possible to estimate, direct losses amounted to approximately $2.4 billion, broken down as follows.

Agricultural and livestock production sector

The embargo resulted in the decline of approximately 40 per cent in agricultural and vegetable production. This damage may be summarized as follows:

1. *Plant production*

We may summarize the impact on this sector as follows:

- Inability to import a sufficient number of seedlings of various trees and the necessary requirements.

- Inability to import hybrid vegetable seeds, greenhouse requirements, etc.

- Difficulties with regard to the swarms of bees whose import from Australia was agreed on and difficulty in importing Apistan strips to treat the epidemic of varroa-mite disease affecting the bees.

- Difficulties in obtaining the seed samples required for experimentation.

- Halting of the campaigns to detect and combat the Saharan locust, owing to non-availability of spare parts for agricultural aircraft, desert vehicles and pesticides for locusts.

- Halting of dealings with the sector by foreign firms with regard to the establishment of a laboratory to analyse agricultural pesticide and fertilizer residues.

- Disruption of the programme to export locally produced fruit and vegetables, since a 44 per cent decline below target was registered, representing a value of $234 million. The value of the credits opened for the delivery of various foodstuffs, operational necessities, drugs and equipment necessary for the various economic activities by air totalled $500 million, and to date some of these goods have still not arrived. In particular, drugs have failed to arrive on time.

The volume of material damage affecting plant production and the estimated value may be summed up as follows:

		US $
Fruit-tree seedlings	50 per cent of the seedlings	2 500 000
Vegetable seeds		3 500 000
Fruit and vegetable exports	100,000 tons	15 000 000
Honey research and production	740 swarms	1 687 500
Winter grain crops	158,000 tons	34 700 000
Summer grain crops	10,800 tons	2 500 000
Winter and summer fodder crops	678,000 tons	15 600 000

2. *Livestock*

The impact of the implementation of the resolution may be summarized in the following points:

- The arrival of veterinary supplies imported from some European countries such as France, Switzerland, Germany and the United Kingdom has ceased. The most important of such supplies are the vaccines that constitute the basis of livestock production, since without them the deaths of non-immunized stock amount to 90 per cent. There was also an absence of the preventive and diagnostic tools and veterinary treatment, which affected the implementation of prevention and treatment programmes and, consequently, fodder consumption and reproductive cycles.

- The dispatch of samples to international authorities with which close cooperation had been established has been stopped, rendering diagnosis or analysis problematic.

- The arrival of consignments of chickens, chicks and eggs for incubation, imported from the Netherlands, Belgium and France, has ceased.

- If we examine the material losses of livestock, we find that it is very large and increases daily. The proportion of still births among sheep was approximately 55 per cent, or a loss of approximately 1,544,000 animals. Among females giving birth it was approximately 10 per cent, or 400,000 animals. The volume of losses resulting from deaths among sheep was approximately $583,200,000. The proportion of stillbirths among cattle was approximately 30 per cent, or a loss of approximately 10,500 animals. The figure for females giving birth was 10 per cent, or 10,000 animals. The cost of stillbirths among cattle was approximately $44,520,000. The quantity of milk is estimated at approximately 9 million litres, at a cost of $8,100,000. The proportion of stillbirths among goats was 50 per cent, or approximately 1,120,000 animals, with 20 per cent of deaths among females giving birth, or approximately 224,000 animals. The cost of the losses among goats are estimated at approximately $212,040,000. Among poultry, losses totalled approximately $126,314,250. Mutton and lamb losses totalled 13,328 tons, while beef losses totalled 2,512 tons, on the basis of males only. The figures for goats were 11,760 tons, for poultry 10,881 tons and for table eggs 182,150,000.

3. *Production requirements*

Since the great 1 September revolution, the agricultural sector has seen a great transformation. The transformation then focused on this sector, and many projects and agricultural activities were implemented. In this process, production requirements, machinery and heavy equipment were employed. They were and are imported from those States that possess this technology, namely, the United States of America and the other Western States. Following the implementation of resolution 748 (1992), the agricultural sector suffered many problems as a result of the halt in imports of production requirements, machinery and equipment needed for this sector in order to raise production levels.

That may be summarized as follows:

- Halting of the programme for the importation of water purification networks, sensitive irrigation networks and agricultural machinery and equipment.

- Inability to import goods for agricultural prevention and protection and means of combating forest fires.

- Inability to import various chemical substances such as pesticides and rare elements.

- Halting of the programme for the importation of spare parts for agricultural projects and for farmers and for agricultural professionals.

- A demand by companies exporting agricultural requirements for certification that the agricultural technology would not be used for military purposes or in chemical plants, particularly in the case of generators, large pumps and agricultural pesticides.

- Refusal of many companies to enter into bidding in the sector.

4. *Planning, organization and administration*

The negative impact of the implementation of the Security Council resolution was not confined to technical aspects directly. There were other, indirect effects on planning, programming, execution and administration in the sector, and their impact was greater than that of the direct effects on the material aspects. The disruption of programmes for the importation of production requirements and the exportation of the surplus made the production processes and programme execution in the sector more difficult and more complicated and made the sector and also farmers and raisers of livestock divert their production schedules to other activities that were perhaps not so profitable or even so appropriate. That contributed to the decline in the level of agricultural production, while the difficulties facing the sector with regard to sending trainees abroad and ensuring the participation of its experts in foreign meetings, visits by international expert consultants and obtaining scientific and technical publications impeded the process of transfer of knowledge and of scientific and technical know-how, and this played a large part in the disruption of the agricultural sector's plans and activities.

Transport and communications sector

- As a result of the halting of foreign air traffic arising from the aerial embargo imposed under resolution 748 (1992), Libyan Arab Airlines lost $361,284,000 in direct income owing to the drop in sales.

- The security and safety of domestic air transport was endangered as a result of the non-availability of the necessary spare parts, inability to perform the necessary maintenance in a timely manner and the absence of a stock of spare parts in the company's depots, which increasingly forced aircraft to cease daily operation.

- The overseas activity of the Libyan Arab Air Freight Company was halted, resulting in the loss of some $128,700,000 in income.

- The Socialist Airports Company lost considerable sums as a result of the loss of fees for accommodation, takeoff and other services, estimated as approximately $36,300,000.

- The Light Air Transport and Technical Services Company lost revenue estimated at $5,887,000 as a result of failure to obtain the necessary spare parts for maintaining and operating its aircraft according to schedule.

- The General Board for Civil Aviation and Meteorology incurred costs of $11 million, representing payment of wages and salaries to workers without any return and also loss of annual income of more than $4 million, owing to the halting of air traffic.

- The general freight traffic in ports was affected as a result of the provision of daily services to passengers, which had a negative effect on services to freight vessels. Additional costs were incurred as a result of the increase in the consumption of shipping and other equipment, which was 20 to 25 per cent above normal rates.

- It was necessary to charter vessels in order to reduce the problem of passenger transport to and from the Jamahiriya, at a cost of $18 million, without regard to economic return.

- It was difficult for Libyan citizens wishing to perform the pilgrimage and the *umrah* to do so, because it was not possible for them to travel to the holy places in a comfortable manner suited to the health and fitness of each pilgrim.

- There was an increase in the rate of the use of private and public vehicles and trucks on land routes, exposing roads to increased damage. This led to an increase in the maintenance costs, which were over $18 million, in addition to the increase in wear and tear, maintenance for all forms of transport and increased fuel consumption.

- The posts and communications sector was affected considerably by the aerial embargo, leading to the choice of intermediate exchanges to expedite and receive mail, which led to a 40 per cent increase in expenditures.

Industrial sector

The implementation of resolution 748 (1992) has had a clearly negative aspect on the industrialization movement in the Great Jamahiriya, particularly on production rates and follow-up of the implementation of industrial projects, which had been in the stage of completing the assembly of new production lines and becoming operational.

The implementation of the resolution had negative effects on the production process, because of the exhaustion of factory stocks of raw materials, delivery of which depended primarily on air transport.

The resolution also caused obvious confusion in the schedules and activities of our industrial companies in relation to their foreign counterparts as a result of the embargo. The Western propaganda that accompanied the implementation of the resolution also played an active role in influencing major industrial companies and the contractors executing our industrial projects to adopt a negative position, on feeble pretexts, regarding continued fulfilment of existing obligations under the contracts concluded with those companies. Damage to the industrial sector may be summarized as follows:

- The difficulty of importing spare parts for emergency cases arising from sudden stoppages. This led to prolonged emergency stoppages in plants.

- Difficulty in obtaining replacements for defective or missing parts or components for assembly industries when speedy air delivery was required.

- Obstruction and delay in direct meetings between the organs of the industrial sector and companies, normally held periodically or if urgently needed, for discussion of matters relating to the delivery of production requirements, spare parts and technical assistance.

- Inability of factories to send representatives abroad to inspect imported goods at the port of shipment with the desired expedition at the specified time and delay in the arrival of packages of samples of raw materials. This has had a negative impact on the flow of raw materials and production requirements delivered to factories.

DOCUMENT S/26143

Letter dated 23 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*25 July 1993*]

In my previous letters circulated under the symbols S/26079, S/26129 and S/26137, I informed the Security Council of the new Armenian aggression against Azerbaijan, which posed a particular threat to the Agdam district with its population of 100,000.

In the evening of 22 July, the Armenian army once again stormed the city of Agdam. On 23 July, after taking the suburbs of Giyasly, Khydyrly and Muradbeily and subjecting the residential districts of Agdam to devastating rocket artillery shelling, Armenian troops entered the city. A considerable portion of Agdam has been seized and in other areas fierce street fighting is in progress.

From intercepted radio messages between the commanders of the advancing Armenian troops it is clear that during the night of 22 July, four infantry battalions were dispatched towards Agdam. This morning these fresh forces were brought into the battle. As things stand at the moment, the operation to storm Agdam is being conducted with all the available forces of the Second Armenian Corps of the Armed Forces of Armenia and the additional forces just brought in from Armenia, comprising four infantry battalions, two tank battalions and five artillery divisions, together with their attendant crews.

At 5 a.m. on 23 July, Armenian troops began an offensive against another district of Azerbaijan, that of Fizuli. As a result, three outlying villages have been occupied and the Fizuli-Djebrail road has been cut off. The town of Fizuli is also threatened with capture. The town is being subjected to intensive artillery shelling from a distance of six kilometres. There is wide-scale destruction and, according to preliminary reports, 11 residents have been killed and 26 wounded.

The above facts clearly testify to the systematic aggressive actions by Armenia undertaken with a view to seizing two new districts of Azerbaijan, those of Agdam and Fizuli, in addition to the Lachin and Kelbadjar districts occupied previously. Armenia's aggressive designs are confirmed by its flagrant disregard for Security Council resolution 822 (1993). The valuable efforts by the Chairman of the Minsk Conference, Mr. Raffaelli, to find a solution as soon as possible in order to unblock the conflict, to achieve a cease-fire and to initiate a direct negotiating process are getting nowhere precisely because of the continuing aggressive actions by Armenia. The expanding scale of the occupation of Azerbaijani territory, the death of thousands of peaceful inhabitants and the destruction of many economic and industrial facilities and social amenities are directly attributable to the impunity enjoyed by the Armenian side.

The Azerbaijani Republic strongly urges the Security Council to take decisive measures to halt the aggression by Armenia against Azerbaijan.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26144

Letter dated 23 July 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*23 July 1993*]

I have the honour to present to you the attached letter, dated 23 July 1993, from my President.

May I request your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 23 JULY 1993 FROM THE PRESIDENT OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

The Security Council, by its resolutions 824 (1993) and 836 (1993), decided that the capital city of the Republic of Bosnia and Herzegovina, Sarajevo, and other such threatened areas, in particular the towns of Tuzla, Zepa, Gorazde, Bihac as well as Srebrenica and their surroundings be treated as safe areas by all the parties concerned and should be free from armed attacks and from any other hostile act (para. 3 of resolution 824) and established immediate military, humanitarian and other measures for the implementation of the concept of safe areas.

Regarding the striking deterioration of the overall situation in the city of Mostar and its surroundings, due to continuing armed attacks of HVO units and great suffering of civilian population, deprived of food, medicines, water and electricity, we address you with the request to, along with the above-mentioned areas, declare the city of Mostar and its surrounding, with about 126,000 inhabitants before the war, being the economic and the cultural centre of Herzegovina with numerous monuments belonging to the world cultural and historical heritage, a safe area and to urgently take all the measures, foreseen by resolutions 824 (1993) and 836 (1993).

It is solely the immediate and adequate decision of the Security Council that could save lives of thousands of endangered inhabitants of Mostar and its surrounding.

Hoping that our request will meet your understanding.

(*Signed*) Alija IZETBEGOVIC

DOCUMENT S/26145

Letter dated 22 July 1993 from the representative of Afghanistan to the Secretary-General

[*Original: English*]
[*22 July 1993*]

I have the honour to transmit herewith the letter dated 22 July 1993 from Mr. Hedayat Amin Arsala, Minister for Foreign Affairs of the Islamic State of Afghanistan, addressed to you concerning recent tensions on the Afghan/Tajik frontiers.

I should be grateful if you would have the text circulated as a document of the Security Council.

(*Signed*) A. G. Ravan FARHADI
Permanent Representative
of Afghanistan
to the United Nations

LETTER DATED 22 JULY 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE ISLAMIC STATE OF AFGHANISTAN TO THE SECRETARY-GENERAL

The Islamic State of Afghanistan highly appreciates your appeal dated 21 July 1993 calling for the exercise of restraint in Tajikistan.

The recent developments on the border between Afghanistan and Tajikistan arising out of an unjustifiable artillery attack of the armed forces of the Russian Federation and Tajikistan on Afghan soil is a matter of serious concern to the Islamic State of Afghanistan and among the Afghan people.

Responding to your appeal of 21 July 1993, the Islamic State of Afghanistan for its part reassures you of its readiness to engage in serious and sincere talks for the peaceful solution of the problems through understanding and negotiations, that would ensure the return of the Tajik refugees back to their homeland in safety and honour.

The Afghan Government categorically rejects the protests expressed in the statement of the Ministry of Foreign Affairs of the Russian Federation dated 14 July 1993 [*S/26110*] and repeated in the 15 July 1993 statement of the Council of Ministers of the Republic of Tajikistan [*S/26092*] stating that the "mujahidin and the subunits under the Ministry of Defence of the Islamic State of Afghanistan" are responsible for the events of 13 July 1993. (The Russian Federation's statement mentions only "irregular forces".)

The Islamic State of Afghanistan strongly rejects the allegations that the Tajiki refugees are trained and armed in Afghanistan and sent to Tajikistan for destructive activities. The accusation that the Islamic State of Afghanistan has had an involvement in the so-called attacks is completely unfounded.

The Afghan Government denotes with regret the mention of the threatening expression of "inevitability of retribution" in the Russian Federation's statement and "irreparable blow to good-neighbourly relations between the two countries" in the Tajikistan Government's statement.

The deployment of the Commonwealth of Independent States' Armed Forces on the border of Afghanistan, as well as their massive attacks of 15 and 16 July on villages in the Chaah-e Aab, Yangi Qal'a, Dasht-e Qal'a, and Darqad districts of Tukhar province has caused a major and deep concern to the Islamic State of Afghanistan. Due to the severity of the attacks, more than 360 innocent civilian people have been killed, among them women, children and the elderly. Over 400 people have been injured and a considerable number of houses have been destroyed and wheat harvest burned up in a vast area. Also, as another result of these attacks, more than 6,000 families have been displaced from their homes.

The Islamic State of Afghanistan considers these attacks a clear violation of the Charter of the United Nations, as well as of internationally accepted norms governing the relations among States.

Taking into account the reality that not too long ago, Afghanistan was the victim of massive attacks and invasion by the Red Army of the former Soviet Union, which continued for more than a decade, as a result of which 1.7 million Afghans were killed, more than 5 million left their homeland (of whom still over 3 million have not returned), almost 2 million were crippled, more than 10 million land mines have been planted on our soil, and the country is virtually destroyed in every sphere.

The reoccurrence of an aggression from the north revives the feelings of pain and suffering of the Afghan nation and seriously jeopardizes the endeavours of the Islamic State of Afghanistan to establish normal relations with the Russian Federation.

The pursuit of such an unfriendly attitude towards Afghanistan, especially the continued deployment of the Russian Federation and the other Commonwealth of Independent States armed forces to the Afghan borders as well as resorting to artillery attacks against the territory of Afghanistan under such an unfounded pretext is not only contrary to our expectation but it may open another era of animosity between the two countries.

The Islamic State of Afghanistan once again would like to declare that the actual cause of recent tension is mainly of a humanitarian nature.

The Islamic State of Afghanistan has felt and continues to feel a moral responsibility in extending humanitarian assistance to about 90,000 Tajiki refugees. These efforts are purely of a humanitarian kind and are rendered in the light of historic cultural, linguistic and religious ties between the people of Afghanistan and Tajikistan. This feeling of responsibility is being maintained in spite of the scarcity of Afghanistan's own available resources as a war-stricken country.

The Islamic State of Afghanistan has faithfully observed the principle of non-interference in the internal affairs of States, and in particular, in the case of its northern neighbour, the Republic of Tajikistan.

Afghanistan, as a recent victim of aggression, is anxious, more than any other Member State of the region, to see the return of peace and stability to the long-suffering land of Tajikistan as well as the country's advancement on the path of national reconciliation.

To play its sincere and active role in the creation of a sound atmosphere for the realization of the said objective, the President of the Islamic State of Afghanistan, during the Economic Cooperation Organization summit conference held in Istanbul, Turkey, proposed the establishment of a commission representing the countries concerned to find a peaceful solution through negotiation and dialogue, to the problem on the borders between Tajikistan and Afghanistan. As a result, there was an agreement on the establishment of a quadripartite commission composed of

Afghanistan, Tajikistan, Uzbekistan, and the Russian Federation to review and consider the situation in search of a just and lasting solution to the problems.

It would have been in the interest of regional peace and stability, as well as of the consolidation of friendly relations among States in the region, if the Russian Federation would have welcomed the readiness of the Afghan side and reciprocated the understanding and dialogue instead of resorting to armed attacks and hostility.

Appreciating the good wishes towards the people of Tajikistan, as expressed in the statement of the Russian Federation, we are certain that the plight of almost 90,000 Tajikistani refugees, who are also part of the Tajik nation, would also secure the sympathy and invite the attention of the Russian Federation.

The Islamic State of Afghanistan also expects the United Nations to urgently review the situation and to exert efforts to ensure the return of the Tajikistani refugees to their homes in safety and honour.

For the time being, Afghanistan expects the United Nations and the United Nations High Commissioner for Refugees to expand their humanitarian assistance to the Tajikistani refugees in Afghanistan and to assist in the planning of their repatriation.

The Islamic State of Afghanistan is also in great need of the United Nations humanitarian assistance to the more than 6,000 civilian population of Afghanistan displaced as a result of the recent artillery bombardment of the Russian Federation on the Afghan territory.

I avail myself of this opportunity to express my most sincere wishes for your success in your vast endeavours towards the consolidation of peace in many areas of the world where international tensions prevail.

Hedayat Amin ARSALA
Minister for Foreign Affairs
of the Islamic State
of Afghanistan

DOCUMENT S/26146

Letter dated 23 July 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*25 July 1993*]

The mass expulsions and killings of ethnic Croats in the region of central Bosnia deeply concerns the Government of the Republic of Croatia. In this respect, I wish to remind you of my letter of 9 June 1993 [*S/25920*], written on behalf of the Government of the Republic of Croatia, requesting an emergency meeting of the Council to address that very issue. The Security Council has not replied to my request, although the situation has dramatically worsened for the Croats in central Bosnia after the recent Muslim offensives.

Since the writing of that letter, the central Bosnian towns of Konjic, Jablanica, Travnik, Kakanj, Fojnica, Zenica, Bugojno, and the greater part of Gornji Vakuf and Novi Travnik, which forms 15 per cent of the entire territory of Bosnia and Herzegovina, have been ethnically cleansed of Croats by Muslim forces. Over 100,000 Croats have been driven out from these areas while some 200,000 Croats are surrounded by Muslim forces in the areas of Novi Travnik, Busovaca, Vitez, Zepce, Usora, Kiseljak, Kresevo and Vares. The endangered Croatian population in these enclaves is larger than the combined Muslim populations which are besieged by Serbs in Zepa, Srebrenica and Gorazde. Yet, the Security Council has never considered putting these areas under United Nations protection.

The international media and the diplomatic community have, however, focused on the "ethnic cleansing" of the Muslims by the Bosnian Croats in Mostar. While my Government has condemned extremism on all sides, I have to remind you that, due to the influx of Muslim refugees from eastern Bosnia, Muslims comprise 60 per cent of the population of Mostar as opposed to 42 per cent before the war and that Muslim forces control half of the city. In light of these facts, the complex situation in this city must be considered from a more comprehensive perspective than the oversimplified approach which depicts the situation as a case of one-sided "ethnic cleansing".

In this light, I wish to mention that the Croats of Bosnia and Herzegovina, who comprised 25 per cent of the population several decades ago and 18 per cent of the total population of the country before the present war, are the smallest ethnic community and have suffered great losses from the policy of ethnic cleansing. Over 200,000 Croats have been expelled or killed in Bosnia and Herzegovina while the towns of Banja Luka, Jajce, Kotor Varos, among others, have been almost totally emptied of Croats. In addition to the 200,000 Croats who are besieged by Muslim forces in central Bosnia, approximately 80,000 Croats are encircled by Serb forces in the areas of Sarajevo, Tuzla and Bihac. For the Croat population, the situation in Bosnia is worse than what had occurred in the Republic of Croatia where Serbian forces expelled or killed almost 10 per cent of the Croatian population.

My Government wishes to express its deepest concerns with regards to the recent statement by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, about "the importance of extending a republic with a predominantly Muslim population as far south as possible so as to make credible any guarantee of access to the Croatian port of Ploce" [*S/26066, para. 16* (e)]. It is our firm belief that such comments have only encouraged the Muslim forces to intensify their attacks in that direction against Croatian-inhabited areas in Bosnia and Herzegovina.

We strongly urge the Security Council to take measures to stop the Muslim attacks against Croatian-inhabited regions in Bosnia and to take note of the tremendous humanitarian catastrophe which has befallen the Croats of Bosnia and Herzegovina, who, on many occasions, have not received sufficient attention from the United Nations Protection Force (UNPROFOR) or the Office of the United Nations High Commissioner for Refugees. Having said this, we wish to inform you of the recent request by the Minister for Foreign Affairs of the Republic of Croatia, Mate Granic, to the local Bosnian Croat leaders, to allow for the implementation of the agreement in Makarska, signed on 10 July 1993, whereby the delivery of humanitarian aid would be allowed to proceed. In this regard, we are very satisfied that UNPROFOR has stated that the Bosnian Croat forces have allowed the passage of emergency aid convoys to 1.1 million displaced persons in central Bosnia.

As long as the Bosnian Croats continue to find themselves in such severe conditions, especially in central Bosnia, and as long as the Security Council is unwilling to address their plight, my Government will have difficulty in successfully influencing events which may lead to a peaceful settlement for the Republic of Bosnia and Herzegovina.

I wish to reiterate the position of the Government of the Republic of Croatia that the solution to the present crisis in the

Republic of Bosnia and Herzegovina lies in the cessation of hostilities by all warring sides, their implementation of agreements allowing for the unimpeded delivery of humanitarian assistance and the reaching of an internal constitutional system for Bosnia-Herzegovina acceptable to all three constituent nations.

I would be grateful if you would provide for the distribution of this letter as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

DOCUMENT S/26148

Letter dated 23 July 1993 from the representative of Sweden to the President of the Security Council

[*Original: English*]
[*24 July 1993*]

With reference to my letter of 20 July 1993 [*S/26121*], I have the honour to transmit a copy of a letter dated 23 July 1993 from the Chairman-in-Office of the Council of Ministers of the Conference on Security and Cooperation in Europe, the Minister of Foreign Affairs of Sweden, to the Minister of Foreign Affairs of the Federal Republic of Yugoslavia (Serbia and Montenegro) as well as a related statement by the Chairman-in-Office.

I should be grateful if you would arrange for these documents to be circulated together as a document of the Security Council.

(*Signed*) Lars-Göran ENGFELDT
Chargé d'Affaires a.i. of the Permanent Mission
of Sweden to the United Nations

ANNEX I

Letter dated 23 July 1993 from the Minister for Foreign Affairs of Sweden, Chairman of the Council of the Conference on Security and Cooperation in Europe, to the Minister for Foreign Affairs of Yugoslavia

Thank you for your reply to my letter of 17 July 1993. I find it, however, disappointing. I deeply regret your refusal to allow the CSCE missions of long duration in Kosovo, Sandzak and Vojvodina to continue their activities. Because of your decision, those activities will now cease and the mission members will depart in the next few days.

The value of the contribution that the missions have made to peace and stability has been recognized by all concerned, including your own Government. I must underline, therefore, the view of the CSCE that your decision further aggravates the threat to peace and security in the region.

The mandate of the missions stands unaffected by your decision preventing their presence in Kosovo, Sandzak and Vojvodina. The risk of violent developments in these areas of your country, which led the CSCE to establish the missions, remains. This is a matter of grave concern. The CSCE is prepared to have the missions resume their activities when this is again possible.

As you are aware, the basic condition for the gradual readmittance of Serbia and Montenegro to the international community has been defined by the CSCE Council at its Stockholm meeting. Your decision not to allow the activities of the missions to continue is a further serious setback in your country's relations with the CSCE. I call upon your Government to revoke its course and display its willingness to live up to the norms and principles it has accepted as a CSCE participating State.

I note with concern in this context that your Government appears to have adopted a policy of non-cooperation with the CSCE in other matters as well. It is particularly serious that the Federal Republic of Yugoslavia (Serbia and Montenegro) has failed to honour its obligation, in accordance with the Document of the Moscow meeting of the Conference of the Human Dimension of the CSCE, to receive the CSCE rapporteur mission which the Committee of Senior Officials decided to send to Serbia and Montenegro.

(*Signed*) Margaretha af UGGLAS
Chairman of the CSCE Council

ANNEX II

Statement by the Minister for Foreign Affairs of Sweden, Chairman of the Council of the Conference on Security and Cooperation in Europe, of 23 July 1993

The Belgrade Government's decision not to allow the continued functioning of the CSCE Missions in Kosovo, Sandzak and Vojvodina is deeply regrettable. It aggravates the threat to peace and security in the region.

Notwithstanding the unwillingness of the authorities in Belgrade to cooperate, the CSCE will continue to keep the situation in Kosovo, Sandzak and Vojvodina under review. It will continue to focus on the human rights situation in Serbia and Montenegro, in particular in Kosovo, Sandzak and Vojvodina.

The refusal of the Belgrade Government to admit a human rights rapporteur mission is also a matter of grave concern to the CSCE community. It constitutes a violation of a binding commitment under the so-called Moscow mechanism.

The decisions taken by the Government in Belgrade is a further setback in its relations with the CSCE. I call on Belgrade to revoke its course and display its willingness to live up to the norms and principles it has accepted as a CSCE participating State.

DOCUMENT S/26149

Letter dated 23 July 1993 from the representative of Uganda to the President of the Security Council

[*Original: English*]
[*27 July 1993*]

In my capacity as Chairman of the Group of African States at the United Nations, I have the honour to forward herewith a copy of resolution 1457 (LVIII), adopted by the Council of Ministers of the Organization of African Unity at its fifty-eighth Ordinary Session, held at Cairo from 21 to 26 June 1993.

I would be grateful to you if you would have this resolution circulated as a document of the Security Council.

(*Signed*) Perezi K. KAMUNANWIRE
Permanent Representative of
Uganda to the United Nations

RESOLUTION ON THE CRISIS BETWEEN THE GREAT JAMAHIRIYA AND THE UNITED STATES OF AMERICA, THE UNITED KINGDOM AND FRANCE

The Council of Ministers of the Organization of African Unity, meeting in its fifty-eighth ordinary session, in Cairo, from 21 to 26 June 1993,

Having heard the statement of the head of delegation of the Socialist People's Libyan Arab Great Jamahiriya, the report of the Secretary-General and the intervention of delegations on the ongoing crisis between the Great Jamahiriya, on the one hand, and the United States, Britain and France, on the other,

Guided by the principles of the Charters of the United Nations and the Organization of African Unity, which call on member States to refrain from the threat or use of force, to settle disputes through peaceful means, to respect the independence of all member States and to refrain from jeopardizing their sovereignty, territorial integrity and the security of their peoples,

Recalling the statement made by the Chairman of the Organization of African Unity, His Excellency General Ibrahim Babangida, President of the Federal Republic of Nigeria, in December 1991 on the crisis, subject-matter of the resolution, in which he urged the United States of America and Britain to respect the sovereignty of Libya and its laws, emphasizing that non-respect by those States of the sovereignty of Libya contravened the provisions of international law and of the Charter of the United Nations,

Recalling the statement made by the Secretary-General of the Organization of African Unity on 6 December 1991 on the American and British threats levelled at the Great Jamahiriya, urging the concerned parties to exercise self-restraint and to seek a solution to the problem through dialogue and peaceful means, in compliance with the provisions of international law, to respect the sovereignty of States and to refrain from impeding legal measures,

Taking note of the stand of the Great Jamahiriya which condemns terrorism, in all its forms, and denounces those who resort to it or encourage it, and its readiness to cooperate with any regional or international effort made to solve this problem,

Expressing its appreciation of the positive initiatives made by the Great Jamahiriya to solve its ongoing crisis with the three western States, in the light of respect for its sovereignty and the provisions of international law; its acceptance of Security Council resolution 731 (1992) and its requesting the Secretary-General to devise a mechanism for its implementation, indicating its readiness to cooperate at legal and judicial levels, in the context of the initiatives and proposals it had made,

Expressing its serious concern at the human and material damages incurred by the Libyan people and neighbouring populations from the coercive measures applied, namely, the air embargo imposed by the Security Council in implementation of its resolution 748 (1992),

1. *Expresses its appreciation* for the repeated condemnation by the Great Jamahiriya of terrorism and its full readiness to cooperate, in the context of international efforts, with any party fighting terrorism and seeking to eradicate it, and commends its self-restraint and the sense of responsibility with which it addressed the crisis;

2. *Reaffirms its solidarity* with the Libyan Arab Jamahiriya and recommends that all measures likely to escalate the tension be averted, since they would adversely affect the Libyan Arab people and neighbouring States;

3. *Expresses its grave concern* at the escalation of the crisis and the threats of additional sanctions and the use of force as a pattern of relations among States, in violation of the Charters of the Organization of African Unity and the United Nations, as well as international laws and norms;

4. *Calls on* all the parties concerned to commit themselves to the initiatives advocating dialogue and negotiations with a view to arriving at a peaceful solution to the crisis in conformity with Article 33 of the Charter of the United Nations, which calls for the resolution of conflicts through negotiations, mediation and legal settlement. It also calls for a just and fair trial of the suspects in a neutral country to be agreed upon by all parties concerned;

5. *Urges* the Security Council to reconsider resolution 748 (1992) and to lift the embargo imposed on Libya, in view of the positive initiatives taken by the Great Jamahiriya in addressing the crisis;

6. *Requests* the Secretary-General of the Organization of African Unity to step up efforts to find a rapid solution to this crisis and to report thereon to the next session.

DOCUMENT S/26151

Letter dated 26 July 1993 from the representative of Lebanon to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

On instructions from my Government, I have the honour to request you to convene an urgent meeting of the Security Council to consider the grave situation in Lebanon resulting from the large-scale Israeli bombardment of many towns and villages in my country, causing dozens of civilian deaths, hundreds of wounded and severe damage to property. These acts of aggression are continuing unabated for the second consecutive day. They constitute a flagrant violation of the sovereignty and territorial integrity of Lebanon and the Charter of the United Nations and pose a great threat to international peace and security.

(*Signed*) Khalil MAKKAWI
Permanent Representative
of Lebanon
to the United Nations

DOCUMENT S/26152

Letter dated 26 July 1993 from the representative of Israel to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I would like to bring to your attention the serious escalation of terrorist attacks by Hezbollah and other terrorist organizations in Lebanon against Israeli civilians in northern Israel and members of the Israel Defence Forces.

Hezbollah and other terrorist organizations, such as the so-called Popular Front for the Liberation of Palestine - General Command, have lately intensified their efforts to kill Israelis and to undermine the peace process. Indeed, on 29 June 1993, in an interview with the Lebanese newspaper *Al-Diyar*, Sheikh Hassan Nasrallah, the leader of Hezbollah, said, "We are continuing our Jihad by placing bombs and ambushing because this is a holy cause for us." He added, "We remain steadfast in our strategy to erase Israel from the map ...". Hezbollah's "strategy" has included the repeated firing of Katyusha rockets against towns and villages in northern Israel as well as attacks upon Israel Defence Forces units with rockets, bombs and gunfire.

For many months, Israel exhibited restraint in the face of such attacks by Hezbollah and the other terrorist organizations. Israel has employed military action only as a last resort. In view of the recent increase in terrorist attacks, Israel felt compelled to respond. The Israel Defence Forces have been carrying out operations against terrorist bases belonging to Hezbollah and other terrorist organizations in Lebanon. In carrying out these operations, Israel is exercising its legitimate right of self-defence so as to restore adequate security along our northern border.

The aim of the terrorist organizations is to derail the peace process. Israel, for its part, remains fully committed to the peace negotiations. Israel is, therefore, acting to defend its citizens and to defend the peace process as well.

I would be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Gad YAACOBI
Permanent representative
of Israel
to the United Nations

DOCUMENT S/26153

Letter dated 26 July 1993 from the representative of the United Arab Emirates to the President of the Security Council

[*Original: Arabic*]
[*26 July 1993*]

In my capacity as Chairman of the Arab Group for the month of July 1993, I have the honour to transmit to you herewith the text of a statement issued by the secretariat of the League of Arab States on 25 July concerning the escalation in Israel's persistent attacks on towns and villages in southern Lebanon and its ongoing concentration of military reinforcements in the area of the border strip, which obstruct the current peace process, and calling for immediate United Nations intervention for a halt to the Israeli attacks and the implementation of Security Council resolution 425 (1978).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Mohammad J. SAMHAN
Permanent Representative
of the United Arab Emirates
to the United Nations

THE SECRETARIAT OF THE LEAGUE OF ARAB STATES STRONGLY CONDEMNS THE ESCALATION IN ISRAELI BOMBARDMENT IN SOUTHERN LEBANON

The secretariat of the League of Arab States is following with grave concern the escalation in the persistent Israeli military bombardment in southern Lebanon for the seventh day in succession. Condemning in the strongest terms these persistent Israeli actions, threats and provocations in launching attacks on the towns and villages of southern Lebanon and the ongoing concentration of military reinforcements in the area of the border strip, which obstruct the current peace process, and out of concern for the continuation of that process and the achievement of security and stability in the Middle East region, the secretariat of the League of Arab States calls upon the United Nations and its Member States to intervene immediately to compel Israel not only to halt its repeated attacks on southern Lebanon but to give immediate effect to Security Council resolution 425 (1978) calling for its complete withdrawal from southern Lebanon and the extension of Lebanon's sovereignty over all of its territory.

DOCUMENT S/26154

Letter dated 23 July 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to forward to you enclosed herewith a copy of the statement issued on 23 July by Mr. Karen Baburian, President of the Presidium of the Parliament of Nagorny Karabakh.

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

In recent days, Azerbaijan has undertaken repeated offensive military operations on the eastern frontiers of the Republic of Nagorny Karabakh, despite the assurances of the present leaders of Azerbaijan regarding their commitment to the peaceful resolution of the Nagorny Karabakh conflict and the efforts of the international community to bring about an end to the hostilities.

Simultaneously, the news propagated by Azerbaijan has attempted to represent the retaliatory actions of the Nagorny Karabakh Republic's Self-Defense Forces as manifestations of aggression by Nagorny Karabakh. The leadership of Azerbaijan, in trying to cover up its lack of complete control over its armed forces, asserts that it has not initiated any military operations.

The scale of military operation, including shelling by long-range artillery rockets launched against the capital of Stepanakert - especially during the past three days - air strikes of Askeran, and surrounding villages by Azerbaijani military aviation testify that these operations have been coordinated and purposeful. The scope of offensive operations initiated by Azerbaijan can be ascertained by the fact that on 22 July alone, two combat helicopters and one SU-25 attack plane of the Azerbaijani air force were shot down over the skies of Nagorny Karabakh. During the same day, two T-72 and one BMP-2 tanks, attempting to reach Nagorny Karabakh Republic's defense lines, were destroyed by mines on the Agdam-Askeran road. Two other tanks were neutralized and captured during recent fighting.

The international community would have difficulty in agreeing that the authorities in Baku have complete control of Azerbaijani armed forces, if these military operations have been undertaken without the approval of these authorities.

In order to increase mutual trust, to provide mechanisms for the assessment of the flow of information regarding military operations, and to enable the parties to adopt effective measures for the prevention of such military operations, it is necessary to establish direct contacts between the authorities of the Republic of Nagorny Karabakh and the Republic of Azerbaijan. Such contacts would at the same time contribute to the successes of the Conference on Security and Cooperation in Europe (CSCE) peacemaking mission and the establishment of a cease-fire.

We would like to stress that we have often made appeals for the establishment of direct talks, without much success. In addition, the Azerbaijani side has violated the 17 June agreement mediated by the

Ministry of Foreign Affairs of the Russian Federation, which precluded the shelling of Agdam and Stepanakert and prevented the development of that initiative into a cease-fire agreement covering the regions of Aghdam and Askeran. This constitutes indisputable proof of Azerbaijan's aggressive intentions, which were confirmed by the intensification of military operations during the following few days.

We reconfirm our readiness to conduct direct negotiations with Azerbaijan under the aegis of the CSCE and we hoped that this appeal will be appreciated in Baku and will have a positive response.

DOCUMENT S/26155

Letter dated 23 July 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to forward to you enclosed herewith the statement issued on 23 July 1993 by the Ministry of Foreign Affairs of the Republic of Armenia.

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

On 23 July 1993 at 2.20 p.m. local time, two military aircraft of the Azerbaijani air force released three cassette bombs over the Republic of Armenia's southern city of Kapan, in total violation of the Republic's air space.

Four civilians were killed and 14 were injured as a result of the bombing. The bombing also caused considerable material damage in the city, the extent of which is currently being assessed.

Azerbaijan's military operations are intensifying at a time when efforts are being carried out by the Conference on Security and Cooperation in Europe (CSCE) to bring the Nagorny Karabakh military conflict to the stage of political settlement, a process which is supported by the Armenian Government. This latest attack is another manifestation of the continuing internal struggles within the Baku leadership, the inability of the present government to control its military forces, and is clearly aimed at bringing about the failure of the initiative of Mr. Mario Raffaelli, Chairman of the CSCE Minsk Group.

The Ministry of Foreign Affairs of the Republic of Armenia strongly condemns the violation of its borders, and the barbarous attack waged against its peaceful inhabitants, and declares that the Armenian Government reserves the right to defend the inviolability of its borders and the safety of the population of the Republic of Armenia, and is prepared to take up resolute measures in response to such attacks.

The Government of the Republic of Armenia calls upon the international community to also condemn strongly these military operations by Azerbaijan, and to take a serious position with regard to the military forces which, for the past four days, have been destabilizing the situation in and around Nagorny Karabakh, and have thus been attempting to spread instability into the border regions of the Republic of Armenia.

DOCUMENT S/26156

Letter dated 26 July 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to forward to you enclosed herewith the statement issued on 25 July 1993 by the Ministry of Foreign Affairs of the Republic of Armenia regarding the cease-fire agreement between Nagorny Karabakh and Azerbaijan.

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

According to information received from Stepanakert, the defence ministries of Azerbaijan and Nagorny Karabakh agreed to a three day cease-fire effective midnight 25 July. The cease-fire would obligate the two parties to end all offensive operations, rocket and artillery fire, and air bombings. The parties signatory to the cease-fire agreed to use the three day period to reach an agreement on a meeting between the Nagorny Karabakh and Azerbaijan authorities.

The Government of Armenia encourages the authorities of Nagorny Karabakh and Azerbaijan in this first step aimed at the settlement of the Nagorny Karabakh conflict that can contribute to the international peacemaking efforts. Armenia appeals to the international community and the interested parties involved to respond in the same spirit to this opportunity for the interruption of military activities and direct dialogue between the two parties to the conflict.

DOCUMENT S/26157

Letter dated 26 July 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to forward to you enclosed herewith the statement issued on 24 July 1993 by the Ministry of Foreign Affairs of the Republic of Armenia regarding the recent Azerbaijani air attack on the city of Vardenis in the Republic of Armenia.

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

On 24 July 1993, for the second time in two days, Azerbaijani military aircraft violated Armenia's airspace and shelled the civilian population of a city in Armenia. This morning at 7.30 a.m., Azerbaijani warplanes struck at Vardenis in the north-east of Armenia, killing six citizens, seriously wounding three, and causing considerable damage to buildings and property.

Yesterday, Azerbaijani planes had shelled the southern city of Kapan, causing similar damage.

The bombardment by the Azerbaijani air force of cities in Armenia represents at least an equal threat to the peace process as the military operations on the ground.

As there are no military operations on Armenia's borders with Azerbaijan, these air attacks can only be construed as Azerbaijani attempts to continue and expand the war, and derail the Conference on Security and Cooperation in Europe peace initiative.

The Government of Armenia expects that the international community - and especially those countries and organizations which have expressed concern with regard to the peace process - condemn with equal vigour Azerbaijan which is responsible for these actions. Failure to do so would be incomprehensible to the people and Government of Armenia, who would have to question the neutrality of the international community in this conflict and its ability to mediate it.

In case these strikes are not ended, Armenia will have full justification to respond with the appropriate, forceful measures.

DOCUMENT S/26158

Letter dated 24 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*26 July 1993*]

Armenia's aggression against Agdam district in Azerbaijan, which has come to the forefront of attention in the world's major countries, is eliciting their condemnation.

In a statement issued on 24 July 1993, the Ministry of Foreign Affairs of the Russian Federation indicated that "ignoring the warnings issued by Russia and other members of the international community, Armenian armed formations have once again launched aggressive operations and, according to the reports that have been received, they have seized the Azerbaijani city of Agdam, which lies outside the limits of Nagorny Karabakh". Particularly noteworthy is the reference in the statement to the fact that "the taking of Agdam has been carried out in spite of the assurances given to the Russian side by Armenia's official representatives that no offensive operations would be launched by Armenian formations on the ground and that they had no intention of attacking Agdam".

The statement goes on to say that "all of this is occurring at a time when some genuine progress is beginning to be made in the negotiating process, as evidenced by the outcome of the recent visit to the area of the conflict by the Chairman of the Conference on Security and Cooperation in Europe Minsk Group, Mr. Raffaelli, and the work which that Group is currently carrying out in Rome. The Ministry of Foreign Affairs of the Russian Federation is authorized to state that the Russian leadership wishes to express its most profound concern over such actions by the Armenian side."

The statement concludes by emphasizing that "Russia's position remains unchanged: an immediate cease-fire and implementation of Security Council resolution 822 (1993) and the proposals of the Minsk Group as the basis for promoting a political settlement in Nagorny Karabakh".

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26159

Letter dated 24 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to inform you that the fact of Armenian aggression in the district of Agdam of the Azerbaijani Republic has caused strong condemnation by the leading countries.

In particular, a statement by Michael McCurry, spokesman of the United States Department of State, dated 23 July 1993 says that an "attack on the Azerbaijani city of Agdam by Nagorny Karabakh Armenian forces jeopardizes efforts to resolve the Nagorny Karabakh conflict peacefully. The United States Government strongly condemns this action, which cannot be justified on the ground of legitimate self-defense. We call on the Nagorny Karabakh Armenians to cease their hostile military actions and withdraw completely and unconditionally from Agdam. We also call on them to reconfirm as soon as possible their commitment to the Conference on Security and Cooperation in Europe Minsk Group proposal, which is intended to implement Security Council resolution 822 and pave the way for a peaceful, negotiated settlement of Nagorny Karabakh dispute."

The statement stresses further that "the Azerbaijanis, Armenians and Nagorny Karabakh Armenians all accepted the Minsk Group proposal, which calls for the withdrawal of all occupying forces from the Kelbadjar district and other recently occupied areas of Azerbaijan, a temporary cease-fire, deployment of international monitors, and the resumption of peace negotiations. This proposal remains the best chance to end the fighting. Unfortunately, the attack on Agdam calls into question the commitment of the Nagorny Karabakh Armenians to a peaceful settlement of the conflict. We remain convinced that a peaceful resolution is in the best interest of the Nagorny Karabakh Armenians, and we urge them to abandon efforts to resolve the conflict militarily."

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26160

Letter dated 24 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to transmit herewith the text of a statement issued by the Ministry of Foreign Affairs of the Azerbaijani

Republic in connection with the ongoing aggression of the Republic of Armenia in the Agdam and Fizuli districts of Azerbaijan.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

On 23 July 1993, the Armenian armed forces captured the town of Agdam in the Azerbaijani Republic. Barbaric air bombardment, rocket artillery shelling and continuous attacks on Agdam from three directions led to the fall of this large town in south-western Azerbaijan. Hundreds of dead and wounded, mass destruction and a town that has been half burnt to the ground - such is the tragic outcome of the latest crime perpetrated by the Armenian aggressors.

A critical situation has also developed in the vicinity of the town of Fizuli. On 23 July, Armenian troops, following an offensive in that direction, captured three settlements immediately adjoining the town, blocking the road from Fizuli to Djebrail thus posing a real threat to the 250,000 inhabitants of the Djebrail, Zangelan and Kubatli districts, which are cut off from the remainder of the Republic's territory. The town of Fizuli itself is caught in the three-directional crossfire of rocket artillery shelling from the surrounding hills. The number of civilian casualties is growing.

This is Armenia's response to Security Council resolution 822 (1993) and to the peace initiative of the "nine". This is the reaction, in deeds rather than words, to the mission to the region by the Chairman of the Minsk Conference on Nagorny Karabakh of the Conference on Security and Cooperation in Europe (CSCE), Mr. Raffaelli.

Armenia, disguising its unpunished aggression against Azerbaijan as mere moral support and humanitarian assistance to the Armenians of Nagorny Karabakh, is setting an example of cynicism and hypocrisy for the whole world Obviously, the "success" of the Armenian armed forces and the "achievements" of Armenian diplomacy in the international sphere, which seeks to convince the entire world that the Armenians of Nagorny Karabakh are struggling for their survival, would be inconceivable if the international community did not view the shameless and brazen policy of the Armenian leaders and those who support them, the self-styled leaders of the Armenian community in Nagorny Karabakh, with such indifference. Apparently, there are those who assume that Azerbaijan's population and half of its territory can be sacrificed in order to "safeguard the security" of the Armenians in Nagorny Karabakh.

Azerbaijan thinks differently, however. It would be naïve to assume that the Azerbaijani people will resign itself forever to the occupation of its lands. The liberation of the territory seized by the Armenian armed forces is, for Azerbaijan, only a matter of time, while the impediments to a political settlement created by Armenia's aggressive policy only postpone the day of peace which is surely the dream of people besides those of Azerbaijan.

Azerbaijan believes that the time has come to call things by their rightful names. It is to be hoped that the international organizations whose mission is to safeguard peace and security, which have closed their eyes to the aggressors's deeds long enough and made all sorts of concessions to Armenia and to the Armenian community in Nagorny Karabakh, having at last given justice its due, will see Armenia's crimes in Azerbaijan for what they are.

DOCUMENT S/26161

Letter dated 24 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to inform you that the Chairman of the Minsk Conference of the Conference on Security and Cooperation in Europe (CSCE) on Nagorny Karabakh, Mr. Mario Raffaelli, submitted a letter, dated 23 July 1993, to the Chairman in Office of the CSCE, Mrs. af Ugglas.

In this letter Mr. Raffaelli informs the Chairman in Office of the CSCE about the consultations in Rome, 22-23 July, among the nine Minsk Group countries which are co-sponsors of the "Timetable of urgent steps to implement Security Council resolution 822 (1993)" on the Nagorny Karabakh conflict, and about his statement, issued in reaction to the news of the seizure of Agdam.

The Chairman of the Minsk Conference also informed Mrs. af Ugglas that he was preparing a report to the President of the Security Council, reporting on the efforts to implement resolution 822 (1993) and the serious setback suffered by the negotiating process.

Mr. Raffaelli outlined that the nine Minsk Group countries had asked him to convey to the Chairman in Office of the CSCE their unanimous feeling that a CSCE presence in the region would be extremely useful in efforts to find a peaceful solution of the conflict. The objective of such a presence would be to monitor and report on developments having an impact on the negotiating process, including the situation in occupied territories, new military activities, any build-up of forces and equipment, further violations of human rights, and the adherence of the parties to a peaceful settlement. The nine countries would like to stress the political need to establish such a CSCE presence in the region as soon as possible.

Concluding the letter, Mr. Raffaelli pointed out that the nine countries had also asked him to recommend to the Chairman in Office of the CSCE that a deadline of 30 August be fixed for firm commitments from contributor countries for all required personnel and equipment for the first phase of the monitor mission. Information on the announced and confirmed contributions received by the Conflict Prevention Centre should be made available to the CSCE participating States as soon as possible.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26162

Letter dated 24 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to transmit to you the text of a statement, issued by the Chairman of the Conference on Security and Cooperation in Europe Minsk Conference, Mr. Mario Raffaelli, on the ongoing Armenian offensive and the reported seizure of the Azerbaijani city of Agdam.

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

The Chairman of the CSCE Minsk Conference on Nagorny Karabakh, together with the representatives of the nine countries which are co-sponsors of the cease-fire Timetable for Nagorny Karabakh, strongly condemn the offensive on, and the reported seizure of, the Azeri city of Agdam. They ask for the immediate cessation of hostilities and for the withdrawal from the occupied territory.

This unacceptable act occurred at the very moment when the nine were meeting to prepare the final version of the cease-fire Timetable. It specifically violated direct and repeated commitments made to the Chairman of the Minsk Conference by the leaders of the Armenian community of Nagorny Karabakh that they would not seize Agdam.

This behaviour, recalling similar actions with respect to the Azeri territory of Kelbadjar, calls into question whether it is possible to continue to include this group in the CSCE negotiating process for the Nagorny Karabakh conflict.

The Minsk Group has worked in good faith for more than one year to help find a peaceful solution to the situation of Nagorny Karabakh. Based on this work, the CSCE is prepared to dispatch a substantial monitoring mission to help ensure that a cease-fire is respected while negotiations move forward on the political status of Nagorny Karabakh. Each time the group has reached a significant milestone in its work, military actions have been undertaken which have undercut these efforts. It is in the interest of the Armenian community of Nagorny Karabakh to respect Security Council resolution 822 ()1993 and the decisions of the Minsk Group and to withdraw immediately from territories recently seized by force. This is the key factor in ensuring that peaceful negotiations can move forward.

Those who encourage the Armenian community of Nagorny Karabakh to continue the fighting and the encroachment on the surrounding territories share responsibility for the continuing loss of Armenian lives and the destruction of Armenian economy.

For his part the Chairman of the Minsk Conference requested the CSCE to establish a presence in the region as soon as possible. A report will also be presented to the President of the Security Council on this serious and alarming setback to the Group's efforts to find a solution to the ongoing conflict.

The nine will meet again next week to consider further steps.

DOCUMENT S/26163

Letter dated 24 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*26 July 1993*]

It is with great anxiety that I inform you that the aggression by the Republic of Armenia against the Azerbaijani Republic is continuing.

On 23 July 1993, Armenian armed forces occupied the city of Agdam. The city was almost entirely destroyed by artillery and tanks. The residential areas in large part were burnt down completely.

From the positions which they have occupied, the Armenian troops are subjecting to incessant bombardment the villages of Geytepe, Shirvanly and Garadagly, where refugees from Agdam and surrounding villages are settled in tent encampments.

After capturing the city of Agdam, Armenian troops are continuing to advance in the direction of the towns of Barda and Agjabedi, which are situated far outside the limits of Nagorny Karabakh in the Azerbaijani Republic. Armoured units belonging to the Armenian armed forces have advanced several kilometres along the Agdam-Barda and Agdam-Agjabedi roads. Along these roads, there are tent encampments in which approximately 60,000 civilian refugees from villages in Agdam district and from the city of Agdam in the Azerbaijani Republic, all of which have been captured by Armenian armed formations, are settled. Unless the Armenian troops are stopped, a great threat is posed to the evacuated civilian population, and the number of victims, which after three days of fighting exceeds 200 civilians, may increase manyfold.

On 24 July at 0550 hours, Armenian armed forces resumed the offensive against the town of Fizuli in the Azerbaijani Republic, which also is situated outside the limits of Nagorny Karabakh. The very real threat of capture by the Armenian army hangs over this town. There is heavy fighting at a distance of between 2 and 3 kilometres from the town, while the heights around the town are controlled by Armenian subunits and from them there is constant rocket artillery shelling of the town of Fizuli and the adjacent villages. There are many dead and wounded among the civilian population. The Armenian armed forces have occupied three villages to the south of Fizuli. Following the capture of Agdam, armoured vehicles are being brought in by Armenian troops along the Agdam-Khojavend (Martuni)-Fizuli road in the direction of the city. In the forthcoming days, we must expect Armenian forces to launch a powerful tank attack against Fizuli from the north.

The objective of the Armenian military leadership is to capture the city and to cut off the main road and railway leading to three neighbouring districts of Azerbaijan: Djebrail, Zangelan and Kubatli. In this way, the territory of these districts, amounting to more than 3,000 square kilometres in area, will be surrounded, and Armenian troops will have arrived at the Iranian border. They will then be able to add to Armenia 12 districts of Azerbaijan, with a total area of more than 13,000 square kilometres.

In view of the foregoing, the Azerbaijani Republic requests the Security Council to take decisive action to curb the aggressor and to liberate captured Azerbaijani land.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26164

Letter dated 24 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*26 July 1993*]

I have the honour to transmit to you a letter from Mr. Heydar Aliyev, Acting President of the Azerbaijani Republic, Chairman of the Supreme Soviet of the Azerbaijani Republic, dated 24 July 1993.

In this letter the Acting President states the ongoing large-scale aggression conducted by the Republic of Armenia in the Agdam district of Azerbaijan and requests to have the ongoing Armenian aggression in the Agdam region of Azerbaijan discussed at the meeting of the Security Council.

I would be grateful if you could have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

LETTER DATED 24 JULY 1993 FROM THE ACTING PRESIDENT OF AZERBAIJAN TO THE PRESIDENT OF THE SECURITY COUNCIL

[*Original: Russian*]

I am compelled to address this letter to you by the extremely tense situation which has come about in my country as a result of the continued escalation of Armenian aggression, directed at the territorial fragmentation of the sovereign Azerbaijani State.

Committed to the principles and norms of international law, Azerbaijan gave its consent to mediation by the Conference on Security and Cooperation in Europe (CSCE) in finding a peaceful settlement to the bloody conflict which has been inflicted on it by the Republic of Armenia. In this, Azerbaijan was acting on the basis of the notions of international security and cooperation and was guided by the rights and obligations of the members of this international organization. Throughout the long and difficult settlement process, the Government of Azerbaijan has manifested its desire for a peaceful settlement to the conflict, displaying the greatest possible degree of flexibility and constructiveness, and has searched energetically for ways of halting the bloodshed and moving on to a sound negotiating basis. Our peaceful endeavours have, however, been set at naught by Armenia's flagrant violation of its obligations *vis-à-vis* the international community and Azerbaijan.

It is already over a year since the date on which the CSCE Council of Ministers adopted its decision on the Minsk Conference, yet today this idea is further than ever from being realized. Whereas this time last year we were talking of the necessity to liberate Shusha and Lachin, as the only possible means of returning to the status quo in effect on the date of the adoption of the decision by the Council of Ministers, and, by the same token, the only possible means of proceeding to the Minsk Conference, as of today's date, more than 17 per cent of Azerbaijani territory is occupied by the Armenian aggressors. The entire highland part of Karabakh has been occupied, as have the districts of Lachin (the southern part in May 1992 and the northern in April 1993) and Kelbadjar, villages of the Nakhichevan Autonomous Republic and the Kazakh, Fizuli, Zangelan and Agdam districts of Azerbaijan. In all, 503 settlements have been occupied and the total number of refugees and displaced persons stands at 567,000.

Having started with political aggression, manifested in the adoption of perfidious decisions to annex Nagorny Karabakh to its own territory, and then proceeding to dispatch agents and terrorists and to supply arms, Armenia is today conducting large-scale military activities on Azerbaijani soil, turning a deaf ear to the appeals and decisions of CSCE and the United Nations, including Security Council resolution 822 (1993), which in no uncertain terms demands the withdrawal of occupying forces from Azerbaijan. Efforts by CSCE directed towards the implementation of the resolution have been blocked by the Armenian side's flat refusal to comply with the legitimate requirements of the mediator and, to make matters worse, by the imposition of unacceptable conditions. As a result of these actions by the Republic of Armenia, the last visit by Mario Raffaelli to the region, like those which preceded it, has given no grounds to hope for the swift implementation of the Security Council resolution and the long-awaited cessation of the bloodshed.

The constant assertions by the Armenian side that the Armenian armed formations operating in Nagorny Karabakh are not under the control of the Republic of Armenia are totally without foundation. All the supplies of heavy weapons, ammunition and manpower, as well as the direct control of the military operations, are effected by the Republic of Armenia through the annexed Lachin district.

After the departure of the Raffaelli mission, Armenia has taken advantage of the attendant lull and launched a new massed attack, in the course of which the city of Agdam has been seized by its armed forces. This act of treachery has dealt a crushing blow to the peace process, which has still been unable to get under way. The Government of Azerbaijan had previously warned the Security Council that by dragging out the process a dangerous situation was being created, which could lead to a major catastrophe.

The present state of affairs urgently requires intervention by the Security Council on the basis of the powers conferred upon it by the Charter of the United Nations.

It is essential that urgent measures be adopted, aimed at curbing the aggressor, putting a stop to the bloodshed and liberating the seized Azerbaijani territories.

In the light of the foregoing, I request an immediate meeting of the Security Council.

(*Signed*) Heydar ALIYEV
Acting President of the Azerbaijani Republic

DOCUMENT S/26166

Letter dated 24 July 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*27 July 1993*]

I have the honour to submit to you the attached letter, dated 23 July 1993, from the President of the Republic of Bosnia and Herzegovina, Mr. Alija Izetbegovic, addressed to you.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 23 JULY 1993 FROM THE PRESIDENT OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

For the past few days, just at a time when there are great hopes for the establishment of peace through negotiations, the Serbian aggressor has continued killing the civilian population, the Muslims in particular.

On 22 July 1993 the aggressor army launched ground-to-ground Luka missiles and Orkan multi-rocket-launcher attacks on civilian targets. This had as a consequence the death of a great number of civilians in Celic, Dubrave and Ratkovici, close to Brcko.

Employment of the most lethal weapons in warfare in Bosnia and Herzegovina indicates that the aggressor has launched a new, higher level of the offensive aimed at occupying new territories.

We would like to draw the attention of the Security Council and all other international factors to these facts and request that effective measures be taken in order to prevent an imminent tragedy. The stands of the international community relating to the aggression against Bosnia and Herzegovina - a United Nations Member State - and its suffering population have become a true test for the conscience of the world.

(*Signed*) Alija IZETBEGOVIC

DOCUMENT S/26167

Letter dated 26 July 1993 from the representative of Yugoslavia the Secretary-General

[*Original: English*]
[*27 July 1993*]

I have the honour to transmit herewith a letter dated 23 July 1993 from Mr. Vladislav Jovanovic, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, to the Chairman of the Security Council Committee established under resolution 724 (1991) concerning Yugoslavia.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of Yugoslavia
to the United Nations

TEXT OF THE LETTER

The most recent actions and decisions of the Security Council Committee established pursuant to resolution 724 (1991), as well as the actions of some of its members regarding requests of the Federal Republic of Yugoslavia for the approval of humanitarian relief to Yugoslavia, are evidence once again of an unacceptable abuse of humanitarian assistance for political purposes, which represents a flagrant violation of the basic norms of international and humanitarian law. The work of the Committee, as far as humanitarian assistance to the Federal Republic of Yugoslavia is concerned, is totally blocked. This threatens the health and the supply of basic humanitarian needs of millions of people, especially those in the most vulnerable categories. On the other hand, the Committee has reacted promptly regarding the request for approval of the flight to France for Mr. Vuk Draskovic, which is a clear example of political hypocrisy.

Such decisions of the Committee create unacceptable and very dangerous precedents. These decisions instigate justified anger among the people of the Federal Republic of Yugoslavia, who have proved their humanism and patience by giving refuge to an enormous number of refugees even under the conditions of rigorous and unjustified sanctions. Decisions of the Committee exemplify the absurdity of sanctions as a whole. The sanctions collectively punish a whole people which is not in any way involved in the civil war being waged on the territory of the former Bosnia and Herzegovina. The victim of these sanctions is primarily the civilian population, which does not deserve such punishment.

Numerous field reports of representatives of the United Nations High Commissioner for Refugees reflect the very difficult situation in the Federal Republic of Yugoslavia and the need to ensure that sanctions do not get in the way of efficient humanitarian relief. This was recently reiterated in serious terms by the highest officials of the international humanitarian organizations, Mrs. Ogata, Mr. Nakajima and Mr. Grant.

We believe that the Committee and certain of its members will finally understand the full absurdity of the situation, and that they will re-examine their positions regarding the requests of the Federal Republic of Yugoslavia for the importation of raw materials for pharmaceutical products and other humanitarian needs of the population of Yugoslavia. The adoption of a positive decision would at least temporarily, albeit in a limited fashion, alleviate the plight of the population of the Federal Republic of Yugoslavia, which can be solved only by abolishing the sanctions.

DOCUMENT S/26168

Letter dated 27 July 1993 from the representative of Turkey to the President of the Security Council

[*Original: English*]
[*27 July 1993*]

Alarming reports are being received from the Azerbaijani Republic where Armenian armed forces occupied the town of Agdam last week and since then have been carrying out a large scale offensive against another Azeri town, Fizuli.

As a result of this recent Armenian aggression, many casualties have been reported and 50,000 Azerbaijanis have been forced out of their homes.

Until now, Armenia has refused to adhere to the timetable of urgent steps for the implementation of Security Council resolution 822 (1993) which calls for immediate withdrawal of all occupying forces from the Kelbadjar district and other recently occupied areas of Azerbaijan. A large portion of the Azerbaijani territory still remains under Armenian occupation.

The occupation of Agdam and the new military aggression against Fizuli carried out at a time when the Minsk Group is about to hold a meeting in Rome confirm once again Armenia's unwillingness for a peaceful solution of the conflict between Armenia and Azerbaijan. They also constitute a serious blow to regional peace and security and provide ample evidence of Armenia's aggressive attitude.

In the light of these alarming developments in a region contiguous to Turkey, my Government requests the Security Council to urgently consider this situation in order to stop the aggression against Azerbaijan and secure the immediate withdrawal of the Armenian forces from all occupied Azeri territories.

I will appreciate it if this letter is circulated as a document of the Security Council.

(*Signed*) Inal BATU
Permanent Representative
of Turkey
to the United Nations

DOCUMENT S/26169

Letter dated 26 July 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*27 July 1993*]

I have the honour to submit to you the attached letter, dated 24 July 1993, from the President of the Republic of Bosnia and Herzegovina, Mr. Alija Izetbegovic, addressed to you.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 24 JULY 1993 FROM THE PRESIDENT OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the establishment of "safe areas", according to Security Council resolutions 819 (1993), 824 (1993) and 836 (1993), the Presidency of the Republic of Bosnia and Herzegovina finds the activities of the Security Council and the Secretary-General slow, inconsistent and indecisive. As a result, almost nothing has been accomplished on the ground. The following examples testify to it:

- According to resolution 819 (1993), paramilitary troops of the Bosnian Serbs should have withdrawn from the area around Srebrenica (para. 2). But, in fact, the selective demilitarization of the Army of Bosnia and Herzegovina was enforced instead. The Secretary-General was obliged to take measures immediately to increase the presence of the United Nations Protection Force (UNPROFOR) in Srebrenica and its surroundings (para. 4). Moreover, the Secretary-General was obliged to intensify humanitarian operations in the Republic of Bosnia and Herzegovina, especially in Srebrenica and its surroundings, in cooperation with the United Nations High Commissioner for Refugees (para. 9). This has been only partially done in Srebrenica. The same applies to Zepa.

- The aggressor has systematically obstructed the implementation of resolution 824 (1993) on the establishment of the safe areas. The Security Council and the Secretary-General are aware of the fact, on the basis of reports from UNPROFOR headquarters, yet nothing has been done in that respect, although in paragraph 7 the Council declares the readiness to adopt measures necessary for its full implementation, in the event of failure to comply with the resolution. It enables the aggressor to continue, unpunished, with armed attacks on Sarajevo, Gorazde, Tuzla, Bihac and other areas. It further enables the aggressor to refuse to withdraw its forces, especially the heavy artillery, to areas where it cannot present a menace to civilians, and to block supplies of the elementary needs of civilians - food, medicine, water, electricity and gas. From 6 May 1993, when resolution 824 (1993) was adopted, up to now, 398 persons have been killed in Sarajevo alone and 2,600 have been wounded.

- The aggressor is trying, among other things, negotiations at Sarajevo airport to avoid the very core of the safe area concept under resolutions 824 (1993) and 836 (1993) and to impose demilitarization, to the disadvantage of the army of Bosnia and Herzegovina.

- Especially worrying is the slowness in taking all measures needed for the efficient implementation of the mandate of UNPROFOR extended by resolution 836 (1993) (paras. 5 and 9). For this reason and because of the indecisiveness of the Secretary-General and the UNPROFOR Command, the possibilities given by the extended mandate are not used in practice.

- For no apparent reason, there is a delay in elaboration and ensuring all organizational, technical, operative and other measures to support the extended mandate of UNPROFOR, as well as the use of air power (para. 10). This is now used as an excuse to delay the beginning of the protection from the air of UNPROFOR troops, as well as around the designated safe areas, which was planned for 22 July 1993.

Taking into consideration the extremely unsatisfactory implementation of resolutions concerning the establishment of the safe areas and the prospect of only increasing civilian suffering, we request that the Security Council, in accordance with paragraph 14 of its resolution 836 (1993), adopt new and stronger measures, and establish mechanisms, including the authorization of the Secretary-General and the UNPROFOR Command for their decisive and efficient implementation.

In our support for the establishment of the safe areas, we have always agreed that they are necessary for the protection of civilians. However, they are not a goal in themselves, but only a part of the peace process and a first step towards a just and lasting political solution.

(*Signed*) Alija IZETBEGOVIC

DOCUMENT S/26170[*] [**]

Letter dated 26 July 1993 from the representative of Turkey to the Secretary-General

[*Original: English*]
[*27 July 1993*]

I have the honour to transmit herewith the letter dated 26 July 1993 addressed to you by Mr. Osman Ertug, representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text would be circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Inal BATU
Permanent Representative
of Turkey
to the United Nations

TEXT OF THE STATEMENT

I have the honour to draw your attention to the negative implications for the process of negotiations on the Cyprus issue, conducted under your auspices, of the report (*Avis*) issued by the Commission of the European Communities on 30 June 1993,[12] concerning the unilateral application of the Greek Cypriot side for European Community membership.

I should first of all like to re-emphasize that, as it had also been explained to all concerned at the time, the unilateral Greek Cypriot application for Community membership is devoid of any legal basis.

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[*] Incorporating document S/26170/Corr.1 of 29 July 1993.

[**] Circulated under the double symbol A/47/989-S/26170 and Corr.1.

as it was made without any consultation with, and the assent of, the Turkish Cypriot side. It is neither compatible with the 1960 agreements establishing the "Republic of Cyprus", according to which the basis of legitimacy was the political partnership and joint decision-making of the two national communities of equal political status; nor with the present realities prevailing on the island, namely, the existence of two separate, independent States, neither of which has the right or competence to act or take decisions on behalf of the other or the island as a whole.

You will no doubt recall the tremendous difficulties that the Greek Cypriot application had created for the negotiations when it was submitted in July 1990. At a time when the process aimed at a mutually acceptable solution based on the free will and political equality of the two peoples was continuing, the efforts of one party to determine unilaterally the future of the island on as important a matter as European Community membership was, and continues to be, totally contrary to the spirit and purpose of the negotiations. It was in cognizance of this fact that the Secretary-General, through his spokesman, had stated, on 11 September 1990, that the question of European Community membership for Cyprus constitutes one of the issues that should be negotiated and agreed upon between the two sides within the framework of an overall settlement.

In spite of such a manifestation of lack of political will on the part of the Greek Cypriot side for a negotiated solution, the Turkish Cypriot side has since continued the talks, in the hope and expectation that the Commission would refrain from taking action on the application in the interest of the negotiating process. However, the report of the Commission, which states, *inter alia*, that "the Commission is willing to begin immediately talks with the Government of Cyprus" (para. 49), indicates that these hopes and expectations have been in vain.

In the light of the above and in awareness of the new obstacles that this development creates for the process of negotiations, I am confident that you will use your influence with all concerned so that the Greek Cypriot application for European Community membership is not carried any further, deepening the existing lack of trust between the two sides and rendering your efforts more difficult.

I shall be grateful if this letter is circulated as a document of the General Assembly and of the Security Council.

DOCUMENT S/26172

Letter dated 27 July 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*27 July 1993*]

I have just learned from the embassy of the Republic of Bosnia and Herzegovina in Zagreb, Croatia, that the official television channel of the Croatian government, "Hrvatska Televizija (HTV)" and the official radio of the Croatian government, "Hrvatska Radio" have been calling for the formation of a mass demonstration, to be held tomorrow, 28 July 1993, in front of the embassy of the Republic of Bosnia and Herzegovina. This encouragement from the official government media has been continuing since early this morning, Croatian time.

My government is alarmed with regards to this very volatile situation.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

DOCUMENTS S/26173 AND ADD.1

Note by the Secretary-General

DOCUMENT S/26173

[*Original: English*]
[*31 July 1993*]

1. On 16 June 1993, the Security Council adopted resolution 841 (1993) in connection with its consideration of the question concerning Haiti in response to the letter dated 7 June [*S/25958*] from the Representative of Haiti to the United Nations addressed to the President of the Council.

2. In resolution 841 (1993) the Council decided that, acting under Chapter VII of the Charter of the United Nations, starting on 23 June 1993, all States should adopt the measures set forth in paragraphs 5 to 14 of the resolution "unless the Secretary-General, having regard to the views of the Secretary-General of the Organization of American States, has reported to the Council that, in the light of the results of the negotiations conducted by the Special Representative for Haiti of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States, the imposition of such measures is not warranted at that time".

3. The text of resolution 841 (1993) was transmitted to the Ministers for Foreign Affairs of all States upon its adoption. The text of the resolution was also transmitted to the Secretary-General of the Organization of American States.

4. Under the provisions of paragraph 13 of the same resolution, the Security Council requested all States to report to the Secretary-General by 16 July 1993 on the measures they had initiated for meeting the obligations set out in paragraphs 5 to 9 of the resolution.

5. As of 26 July 1993, 16 replies had been received pursuant to paragraph 13 of resolution 841 (1993). Each of the replies has been issued as a document of the Security Council in chronological order of their receipt, as indicated below:

Brazil	28 June 1993	S/26035
Switzerland	6 July 1993	S/26061
Fiji	7 July 1993	S/26093
Belgium	12 July 1993	S/26094
Finland	15 July 1993	S/26098
Denmark	15 July 1993	S/26114
Norway	15 July 1993	S/26122
France	15 July 1993	S/26123
Greece	15 July 1993	S/26124

Netherlands	16 July 1993	S/26115
Mexico	16 July 1993	S/26116
United Kingdom	16 July 1993	S/26117
Sweden	20 July 1993	S/26140
Japan	21 July 1993	S/26141
United States	22 July 1993	S/26142
Argentina	26 July 1993	S/26171

DOCUMENT S/26173/ADD.1

[*Original: English*]
[*30 August 1993*]

Since the issuance of the note by the Secretary-General dated 31 July 1993 [*S/26173*] on the implementation of paragraph 13 of Security Council resolution 841 (1993), more replies have beeen received from the States listed below, bringing to 26 the total number of replies received as at 30 August 1993:

Turkey	27 July 1993	S/26216
Ukraine	27 July 1993	S/26217
Italy	27 July 1993	S/26218
Singapore	28 July 1993	S/26219
Liechtenstein	30 July 1993	S/26240
Djibouti	4 August 1993	S/26274
Thailand	6 August 1993	S/26283
Guyana	17 August 1993	S/26338
Spain	23 August 1993	S/26365
Republic of Korea	23 August 1993	S/26366

DOCUMENT S/26174

Letter dated 26 July 1993 from the representative of Belgium to the President of the Security Council

[*Original: French*]
[*27 July 1993*]

I have the honour to transmit to you herewith the text of the statement on Tajikistan issued by the European Community and its member States on 25 July 1993.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Paul NOTERDAEME
Permanent Representative of Belgium
to the United Nations

TEXT OF THE STATEMENT

[*Original: English and French*]

The European Community and its member States condemn the current worsening of armed violence in Tajikistan, at its borders and in northern Afghanistan. They deplore the death of the numerous civil and military victims.

The Community and its member States give great importance to stability in the region and express their attachment to the territorial integrity and sovereignty of Tajikistan. They call upon all the parties involved to show moderation in order to avoid internationalizing the conflict. They reiterate the importance of a strict compliance by all parties with Conference on Security and Cooperation in Europe (CSCE) principles.

As in their statement of 29 June condemning the banning of four opposition parties in Tajikistan, the Community and its member States enjoin all the parties involved to initiate a dialogue which is the sole means of achieving national reconciliation. They further call upon the authorities in Dushanbe to assist in the return and reintegration of Tajiks who have fled the civil war.

The Community and its member States consider that a global, peaceful and definitive settlement to the civil war in Tajikistan can be achieved only through talks between the States directly concerned in the region, in conjunction with United Nations representatives on the spot and with the support of the CSCE. They encourage the United Nations Secretary-General and the Presidency-in-Office of the CSCE in their efforts to that end.

DOCUMENT S/26175

Letter dated 27 July 1993 from the representative of Belgium to the President of the Security Council

[*Original: French*]
[*27 July 1993*]

I have the honour to transmit to you the statement on Lebanon issued by the European Community and its member States on 27 July 1993.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Paul NOTERDAEME
Permanent Representative of
Belgium to the United Nations

TEXT OF THE STATEMENT

[*Original: English and French*]

The European Community and its member States are greatly concerned at the resurgence of violence on the Lebanese-Israeli border, whether they concern operations by the Israeli army in Lebanon or attacks against Israel emanating from Lebanon. They firmly condemn once more all acts of violence whatever their origin.

They deeply regret the civilian casualties resulting from such violence and operations which have already caused the exodus of several thousand people. The civilian population throughout the region has a right to peace and security.

They call for an immediate stop to all such actions directed against the sovereignty of Lebanon, its territorial integrity and its independence and which threaten the peace process. They also call on all parties concerned to respect and cooperate with the United Nations forces in the region.

The European Community and its member States recall that they have for many years called for the full implementation of Security Council resolution 425 (1978).

The all too long years of violence and conflict have shown that the use of force and recourse to violence have brought neither a solution nor the prospect of peace for any of the parties involved.

They call on all parties to show restraint and to pursue intensively the peace process negotiations, which have reached a crucial phase. Only their successful conclusion will offer any hope of an untroubled future for this region and its sorely tried people.

DOCUMENT S/26178

Letter dated 20 July 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*28 July 1993*]

I have the honour to refer to Security Council resolution 831 (1993) of 27 May 1993, by which the Council decided to deploy a limited number of military observers as part of the United Nations Peace-keeping Force in Cyprus.

Having completed consultations with potential contributors, I propose that the group of 12 military observers, to be deployed in the first week of August 1993, be composed of elements from the following States: Austria, Ireland and Hungary.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26180

Letter dated 26 July 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*28 July 1993*]

I have the honour to bring to your attention the attached letter dated 24 July 1993, addressed to me by Reverend Father Jean-Bertrand Aristide, President of the Republic of Haiti.

I should be grateful if you would draw this letter to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

LETTER DATED 24 JULY 1993 FROM THE PRESIDENT OF HAITI TO THE SECRETARY-GENERAL

[*Original: French*]

I am transmitting herewith the proposals by the Government of the Republic of Haiti for United Nations assistance in creating a new police force and professionalizing the Haitian Armed Forces.

These proposals include the terms of reference that are to govern the operations of the different technical missions Haiti hopes to receive in the areas we have specified.

We would also stress the importance of development assistance, which should help us avoid any adverse consequences of armed forces reductions, and the urgent need for judicial reform, without which it will be impossible to establish a genuine atmosphere of peace in our country.

We hope, Sir, that our proposals will be favourably received and implemented as soon as possible.

(*Signed*) Jean-Bertrand ARISTIDE

ANNEX

[*Original: French*]

United Nations assistance in the creation of a new police force and professionalization of the Haitian Armed Forces

Terms of reference

Police

International assistance in respect of the police shall be provided to Haiti immediately after the new Prime Minister takes office in accordance with paragraphs 2 and 3 of the Governors Island Agreement [*S/26063, point 5*].

The main objectives shall be:

(*a*) Providing guidance and assistance with a view to enhancing the functioning of the existing security forces until the new Haitian police force is deemed capable of assuming its responsibilities. Particular attention will be paid to respect for human rights;

(*b*) Helping to create a new civilian police force.

The number of police officers to be recommended to the Security Council shall be determined by the Secretary-General of the United Nations together with the President of the Republic of Haiti. According to an initial estimate, some 500 to 600 United Nations officers will be required.

Professionalization of the armed forces

United Nations assistance in this area will take the form of engineers and instructors under the command of an officer appointed by the Secretary-General of the United Nations and approved by the Security Council.

They will help the Haitian Armed Forces to attain the degree of professionalism required to discharge their constitutional obligations and, in particular, ensure the security and integrity of the Republic, help the nation in time of natural disaster and carry out development tasks pursuant to articles 264 and 266 of the Constitution.

At the outset, this component will comprise 50 to 60 instructors and approximately 500 engineers and construction experts.

The mission participants will serve under commanders appointed by the Secretary-General of the United Nations and placed under his authority; they will respect the Haitian Constitution and Haitian sovereignty in the exercise of their functions.

They will wear their national uniform along with the United Nations beret and insignia, in keeping with established practice. They will serve under the United Nations flag and will be equipped with handguns intended for their personal protection, but they will not be authorized to use force to control violence.

The task of modernizing the Haitian Armed Forces and strengthening judicial institutions is to be carried out according to plans drawn up by the President, the Prime Minister, the Minister of Defence and the Minister of Justice of the Government of national concord, in consultation with the Secretary-General of the United Nations.

DOCUMENT S/26181

Letter dated 27 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*27 July 1993*]

I have the honour to inform you that, notwithstanding the three-day cease-fire agreement reached between the Ministry of Defence of Azerbaijan and the command of the Armenian expeditionary forces in the occupied territory, effective 0000 hours on 25 July, Armenian troops using infantry and armoured vehicles attacked Azerbaijani positions in the direction of the town of Fizuli at 1600 hours on 25 July from the Mengelen-Ata and Bakhtych heights which they had seized the previous evening.

On 26 July at 0600 hours the town of Fizuli was subjected to rocket artillery fire from the commanding heights which had been occupied by the Armenian army. The firing became considerably more intense after 1000 hours. A build-up of armoured vehicles of the Armenian armed forces has been observed in the northern and western outskirts of the town.

During the night of 26 July, residential areas of the town of Fizuli were fired on from tanks and armoured vehicles from the direction of the village of Zarger, which had been occupied by the Armenian armed forces during the latest offensive.

According to information in the possession of the Ministry of Defence of Azerbaijan, heavy weapons and reinforcements are being introduced from Armenia along the functioning road through Lachin and Kelbadjar. An additional 12 tanks have been brought into the Gadrut area which is situated 12 kilometres from Fizuli. An attack by Armenian armed forces is expected in the direction of the town of Goradiz, situated on the Azerbaijani-Iranian frontier, with the aim of cutting off the main road leading to the south-western districts of Azerbaijan - Kubatli, Zangelan, Djebrail and Fizuli - which have a population of 215,000.

Beginning on 25 July, in an effort to create the impression that the cease-fire is being observed in Karabakh, subunits of the Armenian armed forces sharply increased their activities along the frontier between Azerbaijan and Armenia. Frontier villages in Zangelan district are being fired upon along the entire length of the frontier with Armenia. In the evening of 25 July, Armenian subunits attacked the village of Yukhary Emizly from Kafan district.

During the night of 26 July, villages in Kazakh district were fired on from Armenian territory by heavy machine-guns, while at the same time the village of Kihd in the Ordubad district of the Nakhichevan Autonomous Republic was fired on from the Agarak military base, situated in the Megri district of Armenia.

Following the aggression in the Agdam district of Azerbaijan and the capture of the city of Agdam by Armenian armed forces on 23 July, the city was devastated and set ablaze. In the eastern parts and the suburbs of the city of Agdam, which have been less affected by the shelling and the fighting, Armenian soldiers went on a rampage lasting several days. During the night of 26 July after they had finished looting, the Armenian troops barbarously set fire to the city, which had previously been home to 60,000 people.

Refugees from the city of Agdam and other occupied villages in the district are at the present time mainly in the neighbouring districts of Barda and Agjabedi and they desperately need, as a bare minimum, humanitarian assistance from the international community.

In the light of all the foregoing, I would request that these facts be taken into account by the Security Council when it meets to consider the question of Armenia's aggression against and occupation of Agdam district and other areas which have been part of Azerbaijani territory from time immemorial.

I should be grateful if you would arrange for this letter to be circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26184

Letter dated 28 July 1993 from the representative of Italy to the President of the Security Council

[*Original: English*]
[*28 July 1993*]

I have the honour to transmit to you herewith a report by Mr. Mario Raffaelli, Chairman of the Conference on Nagorny Karabakh of the Conference on Security and Cooperation in Europe, dated 27 July 1993.

I should be grateful if you could have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Francesco Paolo FULCI
Permanent Representative
of Italy
to the United Nations

ANNEX

Report by the Chairman of the Minsk Conference on Nagorny Karabakh of the Conference on Security and Cooperation in Europe to the President of the Security Council dated 27 July 1993

1. Following my visit to the Caucasus region and to the area of the Nagorny Karabakh conflict, I would like to add some further elements to those already provided by the United Nations representatives in Baku and Erevan. I also wish to take this opportunity to express my thanks for the invaluable assistance and full cooperation these representatives provided in both capitals.

2. The situation has, of course, changed dramatically with the seizure of the city of Agdam by opposing forces. This has dealt the negotiating process a severe blow and has somewhat altered the assumptions on the basis of which my mission had been decided upon by the Conference on Security and Cooperation in Europe (CSCE).

3. The aim of the mission, which included representatives of the CSCE Chairman-in-Office, was to determine, on the basis of an assessment of the situation in the region, whether and when the "Timetable of urgent steps to implement Security Council resolution 822 (1993)", worked out by the nine countries in the Minsk Group, could come into force.

4. In the course of the visit, both the President of Armenia and the acting President of Azerbaijan reconfirmed their full and determined support for the CSCE Minsk Group timetable. Both insisted that it should enter into force as early as possible and without any changes. Both pledged the cooperation of their Governments and authorities for its implementation. A most refreshing finding was, above all, the two Presidents' apparent willingness to consult and to cooperate between them, whenever necessary and desirable, concerning such implementation.

5. In Nagorny Karabakh I found a completely different attitude on the part of the local Armenian community leaders. Their attitude appeared to be rigid and governed by military, rather than diplomatic, considerations. Although

the Chairman of their Supreme Council had signed the Timetable, they now told us this signature had been affixed in his personal, not his official capacity. They then went through a number of objections and in the end they handed me a letter dated 13 July 1993 spelling out such objections.

6. Some of them were of a general political nature, such as, for instance, a series of remarks and questions on the political process under way in Azerbaijan. Other points related to the plan itself, but none of these seemed to represent a fundamental obstacle to the entry into force of the Timetable.

7. I then agreed to send them a reply to the various points and objections raised. This I did on 16 July, refuting the political points as being not pertinent in the context of the negotiating process. I also provided them with the requested explanations and clarifications on the technical issues and asked them to confirm their signature definitively.

8. In their letter dated 20 July, they appeared to have dropped some of their earlier objections, while insisting on some others, and raising some new points. They mentioned having given their agreement in principle. They did not confirm it, but neither did they openly challenge it. They also reconfirmed their attachment to a peaceful solution.

9. I then convened a meeting of the nine countries, which was held in Rome on 22 and 23 July. While the meeting was in progress and we were working on the final version of the timetable, we received the news that the city of Agdam, after a continued escalation of hostilities and armed attacks, had been seized by opposing forces. We were then facing a situation where not only had resolution 822 (1993) not been implemented three months after its approval, but further territories of the Azerbaijani Republic were being occupied.

10. I then proposed to publish the attached statement, which was unanimously endorsed by the nine.

11. The nine also approved the terms of a letter that I sent to the Chairman-in-Office, with a view to suggesting that a CSCE presence be established in the region and recommending that preparations for a CSCE monitoring mission be continued.

12. I hardly need to underline that the seizure of Agdam is in flat contradiction with past Nagorny Karabakh Armenian assurances that they remained committed to a peaceful settlement of the conflict and, specifically, that they had no intention of taking Agdam. It also belies their statement to me that their forces in the Agdam region had no intention of advancing any further and, therefore, had surrounded themselves with minefields that could not be removed (hence their refusal to let my mission travel along the Agdam-Stepanakert road, as we had requested). Nor can the taking of Agdam be excused on grounds of self-defence. I myself had visited the place and, from what my mission and I have seen, I consider that the military situation was such that Agdam posed no serious military threat to Nagorny Karabakh.

13. We are now trying to assess whether the seizure of Agdam signifies a definitive departure by the Nagorny Karabakh Armenians from a compromise settlement in which - just as the other parties to the conflict - they would not fully achieve their present objectives.

14. The CSCE negotiating process will continue despite this undoubted setback. It is, however, my conviction that, given the present political and military balance of forces, a new impetus cannot be provided to the peace process by diplomatic ingenuity alone. Political pressure is needed by the international community, and some diplomatic groundwork should be done in selected capitals, along with the continuation of the CSCE negotiating process. Needless to say, CSCE readiness to send an observer mission is being maintained.

15. I believe that our ongoing negotiating process would be well served by further political support and coordinated political pressure by the international community. In this spirit, I venture to suggest some areas where, in my assessment, early action by the Security Council would contribute in an important way to the peaceful settlement of the conflict in accordance with resolution 822 (1993).

16. These areas may include:

(*a*) Condemning the seizure of Agdam as a new specific threat to peace and security in the region, and as an act that cannot be justified on self-defence grounds and that contradicts the commitment to a peaceful settlement of the conflict;

(*b*) Condemning all bombardments and shelling of inhabited areas and population centres in the area of conflict;

(*c*) Demanding an immediate and unconditional withdrawal from all recently occupied territories, as already requested in Security Council resolution 822 (1993), including the city of Agdam, which should be kept free from further destruction and looting, and other territories occupied after that resolution was approved;

(*d*) Requesting an immediate cessation of hostilities throughout the area of conflict;

(*e*) Requesting that arrangements be made, with international assistance, so that refugees can return to their homes as soon as the occupying forces are withdrawn;

(*f*) Supporting the timetable of urgent steps to implement resolution 822 (1993) worked out by the nine countries of the Minsk Group, and endorsing the Group's continuing efforts to find a peaceful solution to the conflict;

(*g*) Requesting all States to impose an immediate embargo on all deliveries of weapons and munitions to forces engaged in combat in the Nagorny Karabakh area;

(*h*) Warning parties to the conflict against any further escalation of hostilities and about the international consequences of such actions.

APPENDIX

Statement by the Chairman of the CSCE Minsk Conference on the offensive on and reported seizure of the Azerbaijani city of Agdam

[*For the text, see S/26162.*]

DOCUMENT S/26185

Report of the Secretary-General on the situation concerning Western Sahara

[*Original: English*]
[*28 July 1993*]

1. In a status report submitted to the Security Council on 21 May 1993 [*S/25818*], I had informed the Council of my decision to visit the mission area in the first week of June, in pursuance of paragraph 2 of resolution 809 (1993), which called for an intensification of efforts in order to resolve outstanding issues, particularly those relating to the interpretation and application of the criteria for voter eligibility.

2. I visited the mission area from 31 May to 4 June 1993, accompanied by my Special Representative, Sahabzada Yaqub-Khan. The present document contains a report on my mission and on further efforts in pursuance of resolution 809 (1993).

3. At Rabat I was received by His Majesty King Hassan II of Morocco. I also held meetings with the Prime Minister, Mr. Mohamed Karim Lamrani, the Minister of State, Mr. Moulay Ahmed Alaoui, the Minister of State for Foreign Affairs and Cooperation, Mr. Abdellatif Filali, and the Minister of the Interior and Information, Mr. Driss Basri, and other senior officials. In the area of Tindouf I met with the Secretary-General of the Frente Popular para la Liberacion de Saguia el-Hamra y de Rio de Oro (POLISARIO), Mr. Mohammed Abdelaziz. Senior Frente POLISARIO officials were also present. At Algiers I was received by the President of the Haut Comité d'Etat, Mr. Ali Kafi. Meetings were also held with the Head of Government, Mr. Belaid Abdeslam, and other members of the Haut Comité d'Etat, Mr. Redha Malek,

Minister for Foreign Affairs, and General Khaled Nazzar, Minister of Defence. While on a subsequent mission at Vienna from 10 to 17 June, I held further consultations with the Permanent Representative of Morocco to the United Nations, Mr. Ahmed Snoussi, the POLISARIO Coordinator with the United Nations Mission for the Referendum in Western Sahara (MINURSO), Mr. Mustafa Bachir Sayed, and the Foreign Minister of Algeria, as well as the Permanent Representative of Mauritania to the United Nations, Mr. Mohamedou Ould Mohamed Mahmoud.

4. Additionally, the current Chairman and the Secretary-General of the Organization of African Unity were kept regularly informed of ongoing efforts in pursuance of Security Council resolution 809 (1993). Other senior government officials from States members of the Security Council were briefed by me on the Western Sahara question during my visits to Paris and Vienna.

5. The aim of my visit to the mission area was to urge the parties to accept a compromise solution with regard to the interpretation and application of the criteria for voter eligibility. To this effect I presented to the parties a comprehensive text (see annex I) based on talks with the parties in August and September 1992 and on their comments regarding the outline of a possible compromise which my Special Representative had proposed during a visit to the mission area in March 1993. I invited the parties to convey to me as early as possible their views regarding the acceptability of my compromise proposals, to enable me to submit recommendations to the Security Council in a full report in pursuance of resolution 809 (1993).

6. To follow up my discussions with the authorities concerned, my Special Representative held another round of meetings in the mission area from 5 to 20 June 1993. During these and subsequent consultations, both parties reaffirmed their commitment to the implementation of the peace plan in its entirety and their determination to move towards an early referendum. Both parties stressed that they did not reject the proposed compromise but expressed reservations on certain provisions of the text. Reservations expressed by the authorities at Rabat centred on specific provisions concerning tribal links with the territory which, in their view, were unduly restrictive. In spite of these concerns, Morocco has since acquiesced in the compromise in its present form.

7. For its part the Frente POLISARIO conveyed to the Special Representative its acceptance of all the criteria for voter eligibility enunciated by my predecessor in the annex to his report of 19 December 1991 [*S/23299*], thus signifying a favourable change in the earlier position of the Frente POLISARIO which had consistently objected to several of these criteria. With regard to the proposed compromise on the interpretation and application of the criteria for voter eligibility, the Frente POLISARIO also conveyed its acceptance of oral testimony in support of individual applications for participation in the referendum, which indicates another favourable change in its earlier position. However, in expressing substantial reservations on the compromise, the POLISARIO authorities proposed several amendments to the text. Their reservations and proposed amendments concern primarily provisions relating to tribal links with the territory and to the composition of the tribal chiefs (*shiukhs*) invited to testify, which they consider unduly permissive.

8. As is well known, we have consistently sought to encourage direct talks between the parties as a way of facilitating the implementation of the peace plan. It was therefore gratifying to learn that, shortly after my visit to the mission area, both parties finally agreed to initiate direct talks in mid-July at Laayoune and to ask for the assistance of the United Nations in holding this meeting. Notwithstanding difficulties in the preparation and organization of the talks and other problems, mostly of a procedural nature, the delegations of Morocco and the Frente POLISARIO met from 17 to 19 July 1993 at Laayoune, in the presence of my Special Representative as United Nations observer. While it would have been unrealistic to expect a major breakthrough on substantial issues - nor was this the primary aim of the talks - it was an encouraging sign that this exploratory dialogue was held in a positive spirit, marked by restraint and mutual respect. Neither party has excluded the possibility of resuming the talks for wider discussions on issues of mutual concern. It is my earnest hope that such talks will soon be resumed as a follow-up to the Laayoune initiative.

9. In paragraph 3 of its resolution 809 (1993), the Security Council further asked for preparations for the holding of the referendum and urged that voter registration commence promptly, starting with the updated lists of persons included in the 1974 census. Pursuant to this request, Mr. Erik Jensen was appointed Chairman of the Identification Commission in May 1993 and immediately travelled to Rabat, Laayoune, Tindouf, Algiers and Nouakchott with a view to initiating the process of identification and registration of voters. He also assembled the members of the Commission and a team of registration officers. The former group arrived in Laayoune in June. On the basis of the mandate (see annex II) promulgated on 26 April 1993 in conformity with the relevant provisions of the settlement plan and article 11 of the general regulations of 8 November 1991 (see annex III), the Identification Commission began work on establishing with the authorities of both parties the detailed procedures for identification and registration, starting in the Laayoune and Tindouf areas.

10. Proposals regarding specific measures to initiate the above process were at first agreed, but reservations expressed subsequently made it necessary to modify certain aspects. Further discussions, which were facilitated by the presence of both parties at the direct talks in Laayoune, have since led to revised proposals for the organization of work, which should now make it possible for the actual identification and registration of potential voters to start. Meanwhile, the complicated but essential practical and logistical arrangements have been proceeding, registration materials are being prepared and most of the specialized technical equipment is expected to arrive shortly. One Identification Commission team has been deployed to Tindouf to begin preliminary work in that area.

11. The Police Commissioner, Colonel Jürgen Friedrich Reimann (Germany), who assumed his functions in May 1993 as Head of the Security Unit of MINURSO, arrived in the mission area, with a small contingent of 19 civilian police officers from Belgium (5), Germany (4), Malaysia (5) and Togo (5). This first contingent will accompany the registration teams to provide security and order at the various sites for registering voters.

12. The above report outlines factual developments related to my visit to the mission area and events that followed it. The intensification of efforts to overcome existing difficulties has contributed to the holding of direct talks between the parties which, if sustained, will hopefully facilitate the implementation of the settlement plan. The progress towards the registration of voters, which is gathering momentum, is another concrete step. The exchange of views has sharpened focus on outstanding issues. Foremost among these is the urgency of the acceptance of the compromise on the interpretation and application of the eligibility criteria.

13. I intend to submit in due course a full report to the Security Council in pursuance of resolution 809 (1993).

ANNEX I

[*Original: French*]

Interpretation and application of the criteria and procedures for establishing identity annexed to the report of the Secretary-General of 19 December 1991

Compromise put forward to the two Parties by the Secretary-General

1. In accordance with paragraph 58 of document S/21360 and paragraph 9 of document S/22464, as well as regulations 5 to 26 of the General Regulations for the Organization and Conduct of the Referendum in Western Sahara (hereinafter referred to as the "General Regulations"), issued by the Secretary-General on 8 November 1991, the following comprises the interpretation of the criteria and procedures for establishing identity as well as the eligibility of Saharans to participate in the referendum set forth in the annex to the report of the Secretary-General of 19 December 1991 [*S/23299*].

I. CRITERIA FOR ELIGIBILITY TO PARTICIPATE IN THE REFERENDUM

2. The criteria for eligibility to participate in the referendum on self-determination for the people of Western Sahara can be grouped in the following five categories:

(*a*) Persons whose names are included in the revised 1974 census list [*ibid., para. 23*];

(*b*) Persons who were living in the territory as members of a Saharan tribe at the time of the 1974 census but who could not be counted [*ibid., para. 25*];

(*c*) Members of the immediate family of the first two groups (father, mother and children) [*ibid., paras. 23 and 26*];

(*d*) Persons born of a Saharan father born in the territory [*ibid., para. 29*];

(*e*) Persons who are members of a Saharan tribe belonging to the Territory and who have resided in the Territory for six consecutive years or intermittently for 12 years prior to 1 December 1974 [*ibid., paras. 30 and 31*].

3. Any Saharan meeting any of the above criteria must be 18 years of age or over on the closing date for inclusion in the voters list, which date shall be established by the Special Representative in accordance with regulation 13 of the General Regulations.

First criterion

4. The persons covered under the first criterion are those whose names appear on the 1974 Western Sahara census list as revised by the Identification Commission on the basis of information provided by the two parties in accordance with the provisions of paragraph 21 of document S/22464. The Commission revised the 1974 list by removing the names of persons deceased since that date.

Second criterion

5. Persons referred to under the second criterion must prove (a) that they are members of a Saharan subfraction included in the 1974 census and (b) that they resided in the territory at the time of the census.

6. In view of the nomadic nature of Saharan society it will suffice for the person concerned, having satisfied the conditions in (*a*), to prove in accordance with (*b*) that his principal area of residence was in Western Sahara at the time of the census.

Third criterion

7. Persons covered under the third criterion must prove their close relationship - as father, mother or child - with Saharans whose eligibility to participate in the referendum has been established on the basis of the first or second criterion. In the case of a child, he or she must prove his or her relationship with the father or mother whose eligibility to vote has been established on the basis of the first or second criterion.

Fourth criterion

8. Those persons who are not covered by any of the three preceding criteria can apply to participate in the referendum in accordance with the fourth criterion. (This thus covers Saharans who (*a*) were not present in the Territory at the time of the 1974 census, (*b*) cannot produce supporting evidence to prove that they were present at the time of the census, (*c*) have no close relationship with persons eligible to participate in the referendum on the basis of the first or second criterion, or (*d*) cannot produce supporting evidence establishing such a relationship.)

9. The applicant must prove that his father is (*a*) a member of a Saharan subfraction included in the 1974 census and (*b*) was born in the territory within its currently recognized international borders. If the father meets these two conditions the person concerned must prove his relationship with the father.

10. The mother and father of the applicant must apply individually to participate in the referendum in accordance with any of the criteria for eligibility. This also applies, where appropriate, to preceding generations.

11. Descendants of the applicant born outside the territory are not eligible to participate in the referendum under the fourth criterion.

Fifth criterion

12. Persons who cannot meet any of the first four criteria may apply to participate in the referendum under the fifth criterion. These persons must prove (*a*) that they are members of a Saharan subfraction included in the 1974 census (*b*) who have resided in the territory, within its currently recognized international borders, for six consecutive years or intermittently for 12 years prior to 1 December 1974.

13. Taking into account the provisions of the second criterion, those Saharans who resided in the territory before the 1974 census may apply to participate in the referendum under the fifth criterion. The applicant, having met the conditions specified in (*a*), will need to demonstrate, pursuant to (*b*), that his principal area of residence was in Western Sahara over the requisite period (that is six consecutive years or intermittently for 12 years), before the census.

II. SUPPORTING EVIDENCE

14. Paragraph 32 of the annex to document S/23299 states: "The process of identification of people eligible to participate in the referendum will involve a number of proofs that applicants will have to provide in support of their claim. Official documents, well known to the Saharans and used by them, will help the Identification Commission in making its assessment. In addition, the Commission will take into consideration the fact that in the Saharan society, oral testimonies play an important part in all social activities. Those testimonies, given under appropriate conditions, will also assist the Commission in judging the merits of individual applications."

15. Taking into account these considerations, any person applying to participate in the referendum must submit official documents to the Identification Commission in order to enable the Commission to establish his identity in accordance with the first criterion, or his identity and eligibility to vote in accordance with any of the second to fifth criteria. In that the factors and circumstances connecting the applicant to the territory must in general precede 1 December 1974, the official documents which the applicant must submit are those issued by the former Spanish territorial authorities, apart from in the cases provided for in paragraphs 16 and 17 below.

16. Exceptionally, where an applicant does not possess the above documents or has incomplete or inadequate documents, the Identification Commission may determine eligibility to vote taking into account testimony by tribal chiefs (sheikhs) in accordance with the provisions of paragraphs 20 to 23 below. At the request of the applicant the sheikhs may rely where appropriate on traditional documents, such as certificates issued by an *adl* or other documents certified by a cadi of long standing.

17. An individual applying to participate in the referendum under the fourth criterion will have to prove his paternal relationship and identity on the basis of official documents issued by the government authorities of his country of birth or current residence, taking into account the conditions and procedures provided for in paragraph 19 below. It is understood that the applicant will need to prove at the outset that his father was born in the Territory and, to that end, supply documents issued by the former Spanish territorial authorities in

accordance with paragraphs 9 and 15 and taking into account the provisions of paragraph 16.

Official documents

18. Documents issued by the government authorities referred to in paragraphs 15 and 17, such as passports, identity cards, family record books, birth, marriage and death certificates and residency permits, will be accepted as official identity or other documents in support of individual applications to participate in the referendum.

19. It will be for the Identification Commission to determine the admissibility of supporting documents. It will also fall to the Commission to verify the authenticity of such documents and the accuracy of the information therein. To that end the Commission may have recourse to expert assistance, in accordance with regulation 12 of the General Regulations.

Oral testimony

20. Only sheikhs of the Saharan subfractions included in the 1974 census will be eligible to testify before the Identification Commission in support of individual applications to participate in the referendum. They will testify on every application, solemnly swearing to tell the whole truth and nothing but the truth.

21. The sheikhs referred to in the above paragraph largely comprise (*a*) the old sheikhs elected in 1973 or (*b*), in accordance with Saharan tradition, the eldest son in the event of the death or incapacity of any of those sheikhs. The Identification Commission will make use of the services of other notables from the Saharan subfraction included in the 1974 census if circumstances so require, for example, if the subfraction included in the 1974 census is geographically dispersed.

22. In any event the sheikhs of the subfraction to which the applicant belongs will need to attest to his identity before the Identification Commission. In the cases provided for paragraph 16, they will also be called upon to testify before the Commission to help it to determine the eligibility of the applicant to vote in the referendum.

23. Small subfractions, where necessary, will be combined into fractions. The Identification Commission will then call on sheikhs at the fraction level.

III. REVIEW OF INDIVIDUAL APPLICATIONS TO PARTICIPATE IN THE REFERENDUM

24. Paragraph 21 of document S/22464 provides, *inter alia*, that the Identification Commission, assisted by the tribal chiefs and in the presence of observers from the Organization of African Unity and the parties, will meet in New York or Geneva to review individual applications to participate in the referendum.

25. Given that the Identification Commission must verify all supporting evidence so as to be able to decide on individual applications, the Commission, rather than meeting in New York or Geneva, should take the necessary measures in the mission area, with the assistance of tribal chiefs and in the presence of observers of the two parties and of Organization of African Unity. The Commission will then determine an applicant's eligibility to vote on submission and verification of the requisite supporting evidence.

IV. GENERAL OBSERVATIONS

26. The interpretation given here of the criteria and procedures for verification represent a compromise which, while taking into account the positions of the two parties, inevitably fails to conform to all their views or meet all their concerns. In this connection it should be noted that the aim of the interpretation of the criteria and procedures for identification given here is not to seek to define a "Saharan nationality" but to establish free of any bias a Saharan electorate which may determine the future of the territory of Western Sahara, while allowing the United Nations to organize and supervise the referendum in a balanced and equitable manner in accordance with the peace plan.

27. Owing to the difficulties inherent in the identification of voters belonging to a nomadic tribal society extending over several countries of the region and beyond, the procedures regarding supporting evidence have been the subject of particular scrutiny in order to monitor as far as possible the identity and eligibility to vote of individuals applying to participate in the referendum.

28. Recourse procedures will be established, in accordance with paragraph 23 (*b*), of document S/22464 and regulation 15 of the General Regulations.

ANNEX II

[*Original: French*]

Terms of reference of the Identification Commission

The Secretary-General of the United Nations,

In view of paragraphs 24 to 30 and 60 to 62 and paragraphs 19 to 24 respectively of reports S/21360 and S/22464 approved by the Security Council,

In view of regulation 11 of the General Regulations issued by the Secretary-General on 8 November 1991,

Hereby issues the following provisions concerning the terms of reference of the Identification Commission.

CHAPTER I. GENERAL PROVISIONS

Article 1. The Identification Commission shall be responsible for establishing the final list of Saharans qualified to participate in the voting during the referendum on self-determination for the people of Western Sahara, taking into account the modalities provided for in paragraphs 24 to 30 and 60 to 62 of report S/21360 and in paragraphs 19 to 24 of report S/22464.

Article 2. In carrying out its terms of reference, the Identification Commission shall follow the directives and instructions of the Special Representative of the Secretary-General for Western Sahara who, acting under the authority and, as required, on the instructions of the Secretary-General, shall be solely responsible for all questions relating to the organization and supervision of the referendum, in accordance with the settlement plan.

Article 3. In the performance of its functions, concerning identification, registration and appeals, the Identification Commission shall be composed of:

- The field offices of the Identification Commission;
- The central Identification Commission.

Article 4. The field offices shall be responsible for the identification and registration of voters and for the processing of appeals, in accordance with chapters III and IV of these terms of reference.

The field offices shall be opened before the publication of the list referred to in article 10 below. The field offices shall consist of the head of the office and assessors, whose number shall be established by the Chairman of the Identification Commission, in agreement with the Special Representative. The field offices shall appoint, from among their members, an instructor and a rapporteur.

Article 5. The central Identification Commission shall be responsible for taking a final decision on appeals. It may establish subcommissions to assist it for that purpose. Those responsible for taking a decision against which an appeal has been lodged shall not be entitled to rule on the appeal.

Article 6. The field offices and the central Identification Commission shall take their decisions as soon as possible.

CHAPTER II. UPDATING OF THE 1974 CENSUS

Article 7. During the first stage of its work, the Identification Commission shall update the 1974 census, with the assistance of the tribal chiefs of Western Sahara and in the presence of observers from the Organization of African Unity and the parties, taking into account the modalities provided for in paragraphs 20 and 21 of report S/22464. It shall update the 1974 census list:

(*a*) By removing from that census list the names of persons who have since died;

(*b*) By considering applications from persons who claim the right to participate in the referendum on the grounds that they are Saharans and were omitted from the 1974 census.

Article 8. After making the required revisions to the 1974 list in accordance with article 7 (*a*), the Identification Commission, with the approval of the Special Representative, shall publish the revised list, both within Western Sahara and outside, in places where numbers of Saharans are living. At the same time, it shall also publish instructions on how individual Saharans can apply, in writing, before the deadline for registration to be established by the Special Representative, for inclusion in that list on the grounds that they were omitted from the 1974 census.

Article 9. The Identification Commission shall review the aforementioned applications under the supervision of the Special Representative, taking into account the procedures provided for in particular in paragraph 21 of report S/22464.

Article 10. On completing that review, the Identification Commission shall publish, through the Special Representative and following clearance by the Secretary-General of the United Nations, a consolidated list of the persons who have been judged eligible to vote on the basis of the revised 1974 census and the applications received, both within the territory and outside, in places where numbers of Saharans are living.

CHAPTER III IDENTIFICATION OF PERSONS QUALIFIED TO PARTICIPATE IN THE REFERENDUM AND ISSUANCE OF VOTERS' CARDS

Article 11. During the second stage of its work, the Identification Commission shall be responsible, with the assistance of the tribal chiefs of Western Sahara, for:

(*a*) Identifying the persons qualified to vote whose names are on the list referred to in article 10 of these terms of reference and, upon presentation and verification of the evidence required in accordance with article 12, issuing voters' cards to them;

(*b*) Establishing and organizing procedures for appeals against non-inclusion in the list referred to in article 10 or against decisions taken under subparagraph (*a*) above.

Article 12. The identification of persons qualified to vote whose names are on the list published pursuant to article 10 shall take place at the field office closest to the place where the person concerned normally lives; the latter shall submit an application for a voter's card, accompanied by evidence establishing his identify and his eligibility to vote. The field office shall verify the evidence provided by the person concerned, and, having established his identity and confirmed his eligibility to vote, shall automatically issue to him a voter's card.

Article 13. Any person who is refused a voter's card shall be informed of the grounds for that refusal and of his right to lodge an objection appeal under article 15 (*b*) below.

Article 14. Each field office shall establish and publish the list of persons to whom it has issued a voter's card. The list shall be dated and signed by the head of the office.

CHAPTER IV APPEALS

Article 15. Appeals may be lodged:

(*a*) By persons whose names are not included in the list published in accordance with article 10 above;

(*b*) By persons whose identity has not been conclusively established in accordance with article 12 and who have therefore been refused a voter's card;

(*c*) Against decisions concerning the issuance of voters' cards, by any person who can provide sufficient evidence and is on the list published pursuant to article 14.

Article 16. The decisions on appeals taken by the Identification Commission shall be communicated individually and in writing to the persons concerned. These decisions shall be final and not subject to appeal.

A. *Appeals against non-inclusion*

Article 17. The appeals against non-inclusion referred to in article 15 (*a*) shall be lodged with the field office closest to the place where the appellant normally lives, within a time-limit not exceeding 15 days following the date of publication of the list provided for in article 10 above.

Article 18. The appeal shall be submitted in writing and shall set out the grounds on which it is based. The appellant shall mention all the new circumstances or facts which might lead to a reconsideration of his case, accompanied by appropriate evidence.

Article 19. The field office shall be responsible for examining the file and verifying the evidence. It shall establish a file in which shall be placed, in particular, statements by tribal chiefs of Western Sahara concerning any validly established facts proving the right of the person concerned to participate in the referendum.

In the light of the evidence available to it, the field office shall recommend that the appeal be allowed or dismissed and shall transmit the file to the central Identification Commission.

Article 20. The central Identification Commission shall take a final decision on the appeal. It may request additional information. If the appeal is allowed, the name of the person concerned shall be added to the list provided for in article 10 above. The field office referred to in article 17 shall then identify the person concerned and issue to him a voter's card in accordance with articles 12 and 13. If the appeal is dismissed, the file shall be closed without further legal effect.

B. *Objection appeals*

Article 21. The objection appeals referred to in article 15 (*b*) shall be lodged with the field office which refused to issue a voter's card to the person concerned, within 15 days following the refusal.

Article 22. The appeal shall be submitted in writing and shall set out the grounds on which it is based. The appellant shall mention all the new circumstances or facts which might lead to a reconsideration of his case, accompanied by appropriate evidence. The field office referred to in article 21 shall follow the same procedure as that described in article 19.

Article 23. The central Identification Commission shall take a final decision on the appeal. It may request additional information. If the objection is allowed, the field office referred to in article 21 shall automatically issue a voter's card to the appellant and shall add him to the list provided for in article 14. The issuance of the voter's card to the appellant shall not be subject to subsequent challenge under article 15 (*c*). If the objection is dismissed, the file shall be closed without further legal effect.

C. *Appeals challenging the issuance of voters' cards*

Article 24. The appeals challenging the issuance of voters' cards referred to in article 15 (*c*) shall be lodged with the field office which issued the cards, within a time-limit not exceeding 15 days following the publication of the list provided for in article 14.

Article 25. The appeal shall be submitted in writing and shall set out the grounds on which it is based. The appellant shall mention all factors which might lead to a reconsideration of the issuance of a voter's card to a particular individual. The field office referred to in article 24 shall follow the same procedure as that described in article 19.

Article 26. The central Identification Commission shall take a final decision on such appeals. It shall notify the person concerned that an appeal has been lodged challenging the issuance of his voter's card and shall request him to provide additional information. If the appeal is allowed, the name of the voter concerned shall be deleted from the voters list referred to in article 14, the person concerned shall be duly notified and the voter's card shall be cancelled. If the appeal is dismissed, the file shall be closed without further legal effect.

CHAPTER V FINAL PROVISIONS

Article 27. The central Identification Commission shall record the results of its work in a report addressed to the Special Representative. The consolidated list of voters established and signed by the central Identification Commission shall be annexed to the report.

Article 28. The Special Representative shall submit the list referred to in article 27 to the Secretary-General of the United Nations for examination, in consultation with the President in office of the Organization of African Unity. The final voters list shall be published by the Special Representative as soon as the Secretary-General has given his authorization.

Article 29. The Identification Commission shall determine the administrative and technical procedures necessary for the implementation of these terms of reference, in accordance with the settlement plan and regulation 15 of the General Regulations.

DONE in New York on 26 April 1993

(*Signed*) Boutros BOUTROS-GHALI

ANNEX III

[*Original: French*]

General Regulations for the Organization and Conduct of the Referendum in Western Sahara

The Secretary-General of the United Nations,

In view of resolution 658 (1990), by which the Security Council approved the report of the Secretary-General on the situation concerning Western Sahara [*S/21360*],

In view of resolution 690 (1991), by which the Security Council approved the report of the Secretary-General [*S/22464*] and decided to establish, under its authority, a United Nations Mission for the Referendum in Western Sahara,

In view of paragraph 58 of the aforementioned report of the Secretary-General [*S/21360*],

In view of paragraph 9 of the aforementioned report of the Secretary-General [*S/22464*],

Hereby issues the Regulations provided for in the aforementioned texts with a view to the organization, supervision and conduct of the referendum.

CHAPTER I. GENERAL PROVISIONS

Regulation 1. These Regulations shall be interpreted in accordance with the relevant provisions of reports S/21360 and S/22464 of the Secretary-General of the United Nations.

Regulation 2. The term "mission area" means the territory of Western Sahara and the designated locations in neighbouring countries in which the United Nations Mission for the Referendum in Western Sahara performs any of its functions.

The term "territory" means the territory of Western Sahara.

The term "voters list" means the list of persons qualified to vote in the referendum.

The term "settlement plan" refers to the two reports approved by the Security Council mentioned in regulation 1.

Regulation 3. These Regulations shall be called "General Regulations for the Organization and Conduct of the Referendum in Western Sahara".

Regulation 4. The referendum shall be organized and conducted in accordance with the following principles:

- The referendums shall enable persons duly identified and qualified to vote by the Identification Commission to choose between independence and integration with Morocco.

- The referendum shall be held in the territory.

- All Saharans who are aged 18 years or older on the closing date for inclusion in the voters list and who have been identified and qualified to vote by the Identification Commission may participate in the referendum.

- The referendum shall be held in accordance with the principles of universal free and equitable suffrage, by secret ballot and by a simple majority of valid votes cast.

CHAPTER II. THE SPECIAL REPRESENTATIVE

Regulation 5. The Special Representative of the Secretary-General of the United Nations shall be the sole authority responsible, under the direction of the Secretary-General, for the organization and supervision of the referendum, in accordance with the principles set forth in regulation 4 of these General Regulations and in application of the settlement plan.

Regulation 6. In the performance of his task, the Special Representative shall be assisted by a support group called the "United Nations Mission for the Referendum in Western Sahara" (MINURSO).

Regulation 7. Under the authority of the Special Representative, the United Nations Mission for the Referendum in Western Sahara shall consist of:

- The Deputy Special Representative

- The agents and officials of the Civilian, Military and Security Units

- The Identification Commission

- The Referendum Commission

Regulation 8. In the performance of his functions, the Special Representative shall have the authority, in accordance with the settlement plan, to issue rules and instructions consistent with these Regulations in order to give detailed effect to the plan. The regulations, rules and instructions shall, in the event of any incompatibility, prevail over existing laws or measures in force in the territory. These rules and instructions shall be communicated to the parties, as required, and shall also be given appropriate publicity in the territory and, if necessary, in the mission area.

Regulation 9. The decisions and measures referred to in regulation 8 shall concern in particular:

- The deadline for inclusion in the voters list, after which no application for inclusion will be accepted, in accordance with the provisions of the settlement plan.

- The starting date, conduct and closing date of the referendum campaign.

- Freedom of movement, assembly and speech during the referendum campaign.

- The regulation, date and material organization of the voting (hours, days, polling stations, ballot forms, etc.).

- The procedures for receiving and examining complaints and appeals.

- The proclamation of the results.

With a view to ensuring that the provision he is led to adopt in the performance of his functions, as set forth in the plan, are respected, maintaining law and order and ensuring the probity of the voting, the Special Representative may call on the Security Unit or, if appropriate, the Military Unit placed under his authority.

Regulation 10. In accordance with the settlement plan, the Special Representative shall take the necessary measures in order to:

(*a*) Give effect to the principle that the referendum is placed under the responsibility of the United Nations.

To that end, the Special Representative shall, before the beginning of the referendum campaign, ensure that the authorities involved suspend any law or measure which, in his judgement, could obstruct the conduct of a free and fair referendum and which would not otherwise be superseded by the Regulations, rules and instructions referred to in regulation 8 above.

(*b*) Ensure the liberation of political prisoners or detainees with a view to their participation in the referendum, in accordance with the settlement plan, and the proclamation of an amnesty for such prisoners and detainees.

(*c*) Ensure the exchange of prisoners of war, in accordance with the settlement plan.

(*d*) Draw up a code of conduct that will govern the behaviour of the parties and their supporters during the referendum campaign.

(*e*) Ensure the repatriation of the territory of refugees or other Saharans qualified to participate in the referendum, together with members of their immediate families, in accordance with the programme envisaged in the settlement plan, after they have been granted a general and complete amnesty.

CHAPTER III. IDENTIFICATION COMMISSION AND ESTABLISHMENT OF THE VOTERS LIST

Regulation 11. An Identification Commission shall be set up in accordance with the relevant provisions of the settlement plan. It shall be responsible for establishing the final list of Saharans qualified to participate in the voting.

The Secretary-General shall appoint the members, Chairman, Deputy Chairman and Vice-Chairmen of the Identification Commission and shall establish its terms of reference.

Regulation 12. In order to perform its function, the Identification Commission shall have the authority, in particular:

- To establish subcommissions, where necessary;

- To organize mobile or fixed identification and registration teams;

- To call upon the assistance of any expert or adviser who can help it in its work.

Regulation 13. In accordance with the relevant provisions of the settlement plan, all Saharans duly identified by the Identification Commission and aged 18 years or over on the closing date for inclusion in the voters list shall be qualified for inclusion in that list. The Special Representative shall establish the deadline for inclusion in the list.

Regulation 14. The Identification Commission, with the assistance of the tribal chiefs and using all means of verification that it deems useful, shall examine the cases of all Saharans aged 18 years on the closing date for inclusion in the voters list who, in accordance with the relevant provisions of the settlement plan, not having been included in the revised list submit individual applications for inclusion in the voters list before the closing date for such inclusion.

Regulation 15. The Identification Commission shall draw up and issue through the Special Representative instructions concerning:

a) The Commission's operating procedures;

b) The consideration of individual applications to participate in the referendum;

c) The formalities for the identification and registration of voters;

d) Appeals procedures.

These instructions shall take effect as soon as they are published by the Special Representative.

Regulation 16. The Identification Commission shall issue to every person accepted for inclusion in the voters list a numbered voting card, in accordance with the rules established by the Special Representative. It shall make public the final voters list duly authorized by the Secretary-General of the United Nations, and shall have it publicly displayed by arrangement with the Special Representative.

Regulation 17. The Identification Commission may draw up rules of procedure to facilitate its work.

Regulation 18. The Identification Commission may hold open meetings, limited participation meetings or closed meetings according to the nature of the questions under consideration.

Regulation 19. The Identification Commission may invite, in accordance with the settlement plan, the parties or the observers to attend its open or limited participation meetings within the limit of a number to be established by the Special Representative.

CHAPTER IV. REFERENDUM COMMISSION

Regulation 20. A Referendum Commission shall be set up in accordance with the relevant provisions of the settlement plan and shall give its opinion on, draw the attention of the Special Representative to, make recommendations concerning and have the authority to establish any rules and instructions on questions relating to:

- The organization and regulation of the referendum campaign;

- The organization and proper conduct of the referendum until the results are proclaimed by the Special Representative, in accordance with the settlement plan and these General Regulations.

The rules and instructions of the Referendum Commission shall, where appropriate, be published by the Special Representative.

Regulation 21. The Referendum Commission shall examine the complaints and appeals submitted to it and propose to the Special Representative such means of settlement as it deems useful.

Regulation 22. The Referendum Commission shall establish the deadline beyond which no appeal shall be receivable.

Regulation 23. The Secretary-General shall appoint the members, Chairman, Deputy Chairman and Vice-Chairmen of the Referendum Commission and shall establish its terms of reference.

Regulation 24. Regulations 17, 18 and 19 of these Regulations shall be applicable to the Referendum Commission.

CHAPTER V. FINAL PROVISIONS

Regulation 25. The rules and decisions of the Special Representative, the instructions of the Identification Commission and the opinions, recommendations and instructions of the Referendum Commission shall conform to these General Regulations.

Regulation 26. Any serious implementation difficulty or divergence of views concerning the interpretation of the settlement plan or these General Regulations that may arise between the authorities of the United Nations Mission for the Referendum in Western Sahara and the parties or one of the parties shall be settled by the Secretary-General of the United Nations, after recourse to the Special Representative.

Regulation 27. These General Regulations shall enter into force as soon as they are communicated to the parties. They shall cease to have effect after the proclamation of the referendum results.

Regulation 28. The Secretary-General of the United Nations may amend the General Regulations or abrogate, where appropriate, some of their provisions.

DONE at New York on 8 November 1991.

(*Signed*) Javier PEREZ DE CUELLAR

DOCUMENT S/26186

Letter dated 27 July 1993 from the representative of Croatia to the Secretary-General

[*Original: English*]
[*28 June 1993*]

With respect to the letter addressed to you by the Chargé d'affaires of the Permanent Mission of a country provisionally referred to as the "Federal Republic of Yugoslavia (Serbia and Montenegro)", published as a document of the Security Council [*S/26038*] and informing you of a letter from the Minister for Foreign Affairs, Mr. Vladislav Jovanovic, addressed to the Co-Chairmen of the International Conference on the Former Yugoslavia, I have the honour to transmit herewith the text of a letter dated 27 July 1993 from the Minister for Foreign Affairs of Croatia, Mr. Mate Granic, addressed to the Co-Chairmen of the International Conference on the Former Yugoslavia.

I would ask for your kind assistance in distributing this letter as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

TEXT OF THE LETTER

With respect to the letter addressed to you by the Minister for Foreign Affairs of a country provisionally referred to as the "Federal Republic of Yugoslavia (Serbia and Montenegro)", published as a document of the Security Council [*S/26038*], the Government of Croatia would like to point out some of the well-known facts concerning the legal basis of the Arbitration Commission in the framework of the International Conference on the Former Yugoslavia (the Badinter Commission), and the legitimacy of its decisions. In this respect, I would like to draw your attention to the following.

The Arbitration Commission was established as a body of the Conference for Peace in Yugoslavia by the declaration on Yugoslavia adopted at an extraordinary meeting of Ministers of the European Community in the context of European political cooperation on 27 August 1991 [*see S/22991*] - for the purpose of establishing an arbitration procedure which was to lead to decisions. This arrangement was accepted by the six former Yugoslav Republics at the opening of the Conference on 7 September 1991. From the terminology used and the composition of the Commission, it is clear that all parties have agreed "to create a body capable of resolving on the basis of law the differences which were to be submitted to the Commission by the parties, which precisely constitutes the definition of arbitration" [Interlocutory Decision (opinions Nos. 8, 9 and 10)]. Thus, it is obvious that all the essential elements for establishing arbitration in accordance with international law were fulfilled.

In a new declaration of 3 September 1991 [*see S/23010*], the European Community and its member States established the general principles of procedure for the Arbitration Commission, stressing that the rules of procedure for the arbitration would be established by the arbitrators, after taking into account existing organizations in that field. The six Republics also accepted this arrangement.

In conformity with the foreseen rules of procedure, the Republic of Serbia took the initiative of submitting the first two questions to the Commission, transmitted by the Chairman of the Conference. The third question was submitted by the Chairman on his own behalf. All the Republics took part in this procedure and none made the least mention of any incompetence on the Commission's part. Thus, they all demonstrated an identical interpretation of its mandate, thereby recognizing its competence.

The Arbitration Commission, proceeding in a matter initiated on 18 May 1992 by the then Chairman of the Conference, Lord Carrington, stated in its Interlocutory Decision (opinions Nos. 8, 9 and 10) on 4 July 1992 that the Commission itself was to give a judgement on its competence when it was so seized (*compétence de la compétence*). At the same time - as Serbia and Montenegro challenged the Commission's competence to give an opinion on the questions submitted to it - the Commission also confirmed that in that case it was competent to reply to the three questions submitted to it by the Chairman of the Conference. In the same Decision, the question of the legal nature of the Commission was also broadly elaborated on.

I would also like to remind you that the legality of the first seven decisions of the Badinter Commission (opinions Nos. 1-7) were neither challenged nor denied. Therefore, it must be emphasized that such unilateral action of one party denying subsequently the legality of the decisions and the competence of the tribunal to which it had agreed *ab initio* and in whose work it had actively participated, should be qualified as *mala fide* behaviour. Consequently, it should be stated that only all the parties in the framework of the International Conference on the Former Yugoslavia can decide on the future changes, if any, in the mandate of the Arbitration Commission.

Following the aforementioned, it is obvious that any proposal to establish a new ad hoc arbitral tribunal or to submit the differences existing in the framework of the International Conference on the Former Yugoslavia to the Permanent Court of Arbitration at The Hague would be aimed at avoiding existing obligations and postponing the peaceful settlement of the legal issues arising from the dissolution of the former Yugoslavia. Whatever arbitral tribunal is chosen, its task is the same: all arbitral tribunals have to resolve the submitted disputes on the basis of law.

DOCUMENT S/26187

Letter dated 28 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*28 July 1993*]

I have the honour to inform you that Armenia's recent acts of aggression against Azerbaijan continue to elicit condemnation from the international community and from individual major countries in particular.

The Government of the United Kingdom has issued a statement expressing deep concern at the military operations taking place in Agdam, Fizuli and the surrounding areas and containing an appeal to the Armenian forces to withdraw immediately from Azerbaijani territory. "The British Government strongly condemns these incursions into Azerbaijan, which are a serious threat to the prospects of implementing the Minsk CSCE peace process."

According to the statement, this process has been agreed by the Governments of Armenia and Azerbaijan, and the authorities in Nagorny Karabakh must stop delaying its implementation. "It is essential that hostilities cease and that all sides now work constructively, in good faith, to restore peace to the region."

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26188

Letter dated 28 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*28 July 1993*]

I have the honour to inform you that on 28 July 1993, Armenian armed forces, having completed their occupation of the Agdam district, are continuing to concentrate their activity in the area of the Azerbaijani towns of Fizuli and Djebrail, which are being subjected to uninterrupted rocket artillery fire.

In the Fizuli district of Azerbaijan, Armenian troops have captured 17 settlements and are now entrenching themselves in the heights overlooking them which they have captured.

In the Djebrail district, invading tank subunits of the Armenian army are firing on populated settlements.

The main flow of refugees from these districts and from the previously occupied Agdam district is concentrated in the town of Barda. According to information disseminated by the branch of the International Committee of the Red Cross in Azerbaijan, the Red Cross office in Barda is unable to cope with such a massive flow of refugees.

Heavy weapons and reinforcements continue to be transported from Armenia through the Lachin and Kelbadjar districts, which are illegally occupied by the Armenian armed forces, into the Nagorny Karabakh area of Azerbaijan.

In the past few days, there has been continued shelling from Armenia of border settlements in the Kazakh, Ordubad and Zangelan districts of Azerbaijan.

In view of the foregoing, I should like to request that these facts be taken into account when the Security Council meets to consider the question of Armenia's aggression against Azerbaijan.

I should be grateful if this letter could be circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26189

Letter dated 28 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*28 July 1993*]

I have the honour to inform you that the Armenian aggression in the district of Agdam has been condemned by leading countries.

In particular, the spokesman for the Ministry of Foreign Affairs of France, made a statement during a press briefing on 27 July 1993, which read as follows:

> "We have consistently declared ourselves in favour of a political resolution of the question of Nagorny Karabakh and with this aim, we have supported the efforts of the Conference on Security and Cooperation in Europe (CSCE).
>
> "The Minsk Group met last week in Rome and announced that it condemned the Armenian attacks against Agdam, which have been carried out in violation of recent agreements."

The spokesman further pointed out the following:

> "You may remember that the Security Council in resolution 822 (1993) had already confirmed the responsibility of the Armenian forces in the intensification of hostilities. And on June 3, when Mr. Juppé met his Armenian counterpart, Mr. Papazian, he had pointed out to him our position in favour of a negotiated settlement under the auspices of the CSCE."

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26191*

Letter dated 28 July 1993 from the observer of Palestine to the Secretary-General

[*Original: English*]
[*28 July 1993*]

I am instructed by the Executive Committee of the Palestine Liberation Organization, which retains the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your immediate attention.

For the fourth consecutive day, Israeli military attacks continue against Palestinian refugee camps in Lebanon as part of the overall Israeli aggression against that country. Israeli forces have been launching these attacks by means of air force, navy and ground artillery. The camps that have been hit include Beddawi and Nahr el-Bared in northern Lebanon and Ein el-Hilweh, Mieh Mieh and Rashidieh in southern Lebanon. Such criminal and indiscriminate assaults have caused high numbers of casualties and displacement among the Palestinians.

As you are aware, the Israeli aggression against Lebanon has caused immeasurable suffering and damage for the Lebanese people, as well as for the Palestinian civilians in the refugee camps. Furthermore, this aggression only continues to intensify, and this will certainly have a serious impact on the situation in the region, with far-ranging consequences, and it does undermine the peace process currently under way.

We call upon the Security Council to consider the situation immediately and to take concrete measures to bring an end to that Israeli aggression.

I should be grateful if you would arrange to have the text of the present letter distributed as an official document of the General Assembly and of the Security Council.

(*Signed*) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

DOCUMENT S/26193

Letter dated 28 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*31 July 1993*]

I have the honour to transmit the text of a statement by the Ministry of Foreign Affairs of Azerbaijan.

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* Circulated under the double symbol A/48/284-S/26191.

I would be grateful if you could have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

On 23 and 24 July 1993, the Ministry of Foreign Affairs of the Republic of Armenia issued statements [*S/26155 and S/26157*] in which it alleged that on 23-24 July Azerbaijani aircraft had bombed the frontier towns of Kapan and Vardenis in Armenia. In them, Azerbaijan is accused yet again of attempts to prolong and escalate the war and to draw Armenia into a large-scale war, thereby derailing the peace process.

In the first place, the communications from the Ministry of Foreign Affairs of Armenia concerning the bombardment of Armenian cities are the latest fabrications by the Foreign Policy Department of Armenia for propaganda purposes. It is all too obvious that Azerbaijan, which is engaged in fighting and bloodshed in order to protect its territory, would never have carried out such acts. On many occasions Azerbaijan has already demonstrated to the entire world its readiness for a political settlement of the conflict and has shown this by responding in a timely and positive way to all peace initiatives proposed at any time in the course of this conflict by international organizations or by individual States.

Secondly, there is no need for Azerbaijan to try to involve Armenia in the war because for the past five years Armenia has been waging this war in Azerbaijani territory, passing it off as the liberation movement of the Armenians of Nagorny Karabakh. Everyone now knows who is fighting against the Azerbaijanis in Karabakh, the source from which the "peaceful" population of the region obtains modern weapons, including aircraft, missiles, armoured vehicles and heavy artillery, and by what means the weapons reach Nagorny Karabakh. Armenia is using every possible means to delay the withdrawal of its troops from the occupied Kelbadjar and Lachin districts of Azerbaijan, because it is precisely through these frontier districts that fighting equipment and personnel move in a broad stream from Armenia to Nagorny Karabakh.

As to the imaginary difficulties and the continuing internal struggles within the Baku leadership, the Ministry of Foreign Affairs of Armenia is parading its desires as realities. The mission to the region of the Chairman of the Minsk Conference on Nagorny Karabakh of the Conference on Security and Cooperation in Europe, Mr. Raffaelli, did indeed contend with difficulties, but those difficulties came from the Armenian side. Armenia's numerous attempts to reschedule the visit of Mr. Raffaelli's group and to rearrange the itinerary and Armenia's references to what it claims are mined roads between Agdam and Hankendi testify to the true attitude towards the negotiating process of the Armenian side. For some reason, the mined roads did not prevent the Armenian forces from mounting an attack against Agdam and occupying it.

The Foreign Policy Department of Armenia is known for its skill in concocting myths. Thus at one time we had the myth about the blockade of Armenia and the argument about the small defenceless population of Nagorny Karabakh which rose up to fight for its rights; and now we have the latest myth developed by Armenian propaganda, which is that the Azerbaijani leadership, because of internal difficulties, is unwilling and unable to move towards a peaceful settlement of the conflict. In the mean time, the war on Azerbaijani territory is already five years old and 17 per cent of Azerbaijani land is occupied. Azerbaijan has never had territorial claims *vis-à-vis* Armenia, and not a single Azerbaijani soldier is on Armenian soil.

The Ministry of Foreign Affairs of the Azerbaijani Republic can only qualify these statements by the Ministry of Foreign Affairs of Armenia as the latest propaganda ploys calculated to mislead the international community.

DOCUMENT S/26194

Letter dated 28 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*31 July 1993*]

In connection with the recent occupation of Agdam district of Azerbaijan by Armenian military forces, I have the honour to give a brief description about this district of Azerbaijan and some facts about the brutality of recent events.

The district is situated to the north-east of the Karabakh ridge. The territory of the district constitutes 1,100 square kilometre. There are a city and 120 villages in the district. The population of the district before the Armenian-Azerbaijanian conflict began was approximately 150,000 (80 per cent of which was rural). During the last five years, tens of thousands of Azeri refugees from Armenia, Nagorny Karabakh and other regions of Azerbaijan, affected by the hostilities, have settled in Agdam district.

Agdam district and Agdam itself are situated at the crossroads of several very important airways, railroads and highways, such as the Yevlakh-Lachin-Nakhichevan and Agdere-Fizuli highways and the Yevlakh-Agdam, Agdam-Hankendi railroads. The Agdam airport served the Baku-Agdam flights and a number of local flights. Agdam was one of the centres of the food-processing and carpet-making industries and the vineyards of Azerbaijan.

The massive offenses of Armenian military forces against the administrative centre of the district - the city of Agdam with its population of almost 60,000 - began at 0700 hours. The city of Agdam was totally captured on 23 July 1993. Most of the city was destroyed by Armenian artillery. In the eastern part of the city, which has not suffered as severely under the shelling and bombing, Armenian soldiers pillaged and ransacked houses. On 27 July, Armenian troops burned most of the city. The exact number of those killed and injured is now being verified.

Agdam district borders with Nagorny Karabakh in the south-west, but the city of Agdam is 12 kilometres away from the border. Thirty settlements in Agdam district have been occupied by Armenian armed forces and there are only 11 villages under the control of Azerbaijan. The distance between the capital of Azerbaijan, Baku, and the city of Agdam is 360 kilometres.

The occupation of Agdam district seriously damages the agriculture of Azerbaijan since the Agdam farms produced a great deal of the Republic's livestock, wheat, grapes and cotton. In fact, about 400,000 acres of agricultural territories have been lost as a result of the Armenian offensive.

The occupation added a further 100,000 refugees to the above figures. At present the total number of refugees in Azerbaijan is around 750,000.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26195*

Letter dated 28 July 1993 from the representative of Turkey to the Secretary-General

[*Original: English*]
[*29 July 1993*]

I have the honour to transmit herewith the letter dated 28 July 1993 addressed to you by Mr. Osman Ertug, representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text could be circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Inal BATU
Permanent Representative
of Turkey
to the United Nations

TEXT OF THE STATEMENT

I have the honour to refer to the recent violent demonstrations and acts of provocation perpetrated by Greek Cypriots in the United Nations-controlled Buffer Zone in Cyprus and at our borders, and to express the Turkish Cypriot side's indignation and concern at this new manifestation of Greek Cypriot hostility towards the Turkish Cypriot people.

As the spokesman of the United Nations Peace-keeping Force in Cyprus (UNFICYP) in Nicosia has also reported in his relevant statement issued on 26 July 1993, several hundred Greek Cypriots, most of them on motorcycles, staged violent demonstrations at a number of locations along the Buffer Zone on 25 July. Some of them broke through UNFICYP barriers and attacked UNFICYP personnel with rocks and other missiles, injuring a dozen of them and causing damage to United Nations property.

At three locations, the Greek Cypriot aggressors came within a short distance of our borders, and at "Dherinia", where they were joined by other groups bringing their number to about 2,000, they attacked members of the Turkish Cypriot Security Forces with rocks, Molotov cocktails and similar other missiles, at the same time hurling insults at them. As a result, no fewer than 26 members of our Security Forces suffered injuries and damage was caused to property. The perpetrators also set part of the Buffer Zone on fire.

The demonstrations were reported to have been organized by "LOGOS" radio and television, an organ of the Greek Orthodox Church of Cyprus, which is known for its militant, anti-Turkish stance, and by a Greek Cypriot youth organization. However, in view of the fact that such acts of provocation are generally encouraged and supported by the Greek Cypriot authorities as a matter of policy, in order to create artificial tension in the island and keep the Cyprus issue high on the agenda of the international community, there can be no doubt that the recent incidents also had the blessing of the Greek Cypriot Administration.

The well-planned and organized nature of the incidents, the failure of the Greek Cypriot police to stop them and their refusal to cooperate with UNFICYP in containing the aggressive behaviour of the demonstrators testify to the above. This is also borne out by the UNFICYP spokesman's above-mentioned statement, in which it is stated that "the maintenance of the integrity of the Buffer Zone is the responsibility of UNFICYP alone. It requires also the full cooperation of the public at large and especially of the police authorities. Such cooperation was clearly lacking yesterday."

By contrast, the restraint shown by the Turkish Cypriot Security Forces prevented these provocative incidents from turning into a wider confrontation, as again confirmed by the UNFICYP spokesman's statement in the following terms: "Had these events not been met by a conscientious response on the part of UNFICYP and restraint by the Forces on the Turkish Cypriot side, there could have been very serious consequences."

The manner in which the incidents were reported in the Greek Cypriot press the following day is also highly significant in terms of showing the public reaction and mentality prevalent on the Greek Cypriot side. Headlines such as "Message From Our Youth - War With Attila", "Our Youths Have Demonstrated Courage and a Fighting Spirit - A Blow to Attila", "Hand-to-Hand Clash With the Invader", and "It Is Faster to Kyrenia by Motorcycle" are the epitome of chauvinism and reveal the hostile intentions that the Greek Cypriots in general harbour against their Turkish Cypriot neighbours. In fact, some of the slogans used by the demonstrators during these incidents leave no room for doubt as to what those intentions are: "Cyprus is Greek", "Attila out of Cyprus", "Turks are not our kin, they are our enemies", etc.

This latest demonstration of hostility on the part of the Greek Cypriot side is neither compatible with civilized, good-neighbourly relations nor with the establishment of trust between the two communities in Cyprus. It clearly renders your efforts in that direction all the more difficult and sets the stage for more serious incidents in the future with unforeseen consequences. I therefore hope that you will do what you can to stop this harmful and dangerous trend on the Greek Cypriot side by impressing upon them that they alone will have to bear the responsibility for the consequences of their aggressive actions.

I shall be grateful if this letter is circulated as a document of the General Assembly and of the Security Council.

DOCUMENT S/26196**

Letter dated 29 July 1993 from the representative of Lebanon to the Secretary-General

[*Original: English*]
[*2 August 1993*]

In reference to the letter dated 28 July 1993 from the Permanent Observer of Palestine [*S/26191*], I would like to state the following.

Lebanon appreciates the concern expressed by the Executive Committee of the Palestine Liberation Organization over what is happening to the Palestinian refugees in Lebanon, who are suffering along with the people of Lebanon under Israel's brutal onslaught. Lebanon shares its feelings and is as concerned for these refugees as it is for its own citizens.

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* Circulated under the double symbol A/47/993-S/26195.

** Circulated under the double symbol A/47/994-S/26196.

However, Lebanon cannot accept that the Executive Committee of the Palestine Liberation Organization has taken it upon itself to call for immediate consideration of this matter by the Security Council. Lebanon has already requested an urgent meeting of the Council, which is its exclusive right. No party other than the Government of Lebanon and its Permanent Representative to the United Nations can call on the Council to discuss the issue of Israel's aggression against Lebanon. This subject falls expressly within the jurisdiction and sovereignty of the Lebanese Government.

The request of the Permanent Observer of Palestine, although well intended, constitutes an interference in the internal affairs of a sovereign nation and State Member of the United Nations.

I should be grateful if you would have this letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Khalil MAKKAWI

DOCUMENT S/26198*

Letter dated 29 July 1993 from the representative of South Africa to the Secretary-General

[*Original: English*]
[*30 July 1993*]

I have the honour to refer to my letter of 9 March 1993 [*S/25406*] regarding the Multi-Party Negotiating Process (MPNP) under way in South Africa. The MPNP has, since the resumption of negotiations in April 1993, achieved remarkable progress in mapping out the constitutional future of South Africa, including adopting 27 April 1994 as the date for South Africa's first universal franchise election. The fact that the MPNP has comprised 26 political parties/groups, inclusive of the far right and far left of the political spectrum, renders the progress particularly significant.

Intense deliberations of the MPNP's Negotiating Council culminated in a session of the Multi-Party Forum (the effective plenary of the MPNP) on 2 July 1993, at which various resolutions that had been adopted by the Negotiating Council, including 27 Constitutional Principles, were ratified. These principles constitute the surety that South Africa's future constitution will provide for a democratic government answerable to the highest level of internationally accepted standards. A State with strong central government, but with firmly entrenched provisions to accommodate regional diversity, has been agreed upon. To support this new democratic dispensation, a Bill of Fundamental Human Rights will be entrenched in the constitution.

The constitutional principles (see annex) will be binding on the transitional constitution as well as on the final constitution. The detailed provisions of the latter will be enacted by the Transitional Parliament to be elected on 27 April 1994, acting as a Constituent Assembly. The principles, allowing both for strong national and strong regional government, will be justiciable.

The levelling of the political playing-field, which is an essential prerequisite to the elections, will be ensured by a Transitional Executive Council. The Council, together with its six sub-councils, will, at the latest, commence its activities shortly after the passing of enabling legislation by Parliament during the short parliamentary session which is scheduled from 13 September to 8 October 1993. The Transitional Constitution, in terms of which the Transitional Government to be empowered by the elections will govern, will be legislated at the same time.

The Transitional Executive Council will not replace current first-tier government structures but will operate concurrently with them. It will also oversee the work of an independent electoral commission, an independent media commission and an independent broadcasting authority, during the run-up to the election.

I should be grateful if this letter and its annex could be circulated as a document of the General Assembly and of the Security Council.

(*Signed*) V. R. W. STEWARD
Permanent Representative
of South Africa
to the United Nations

ANNEX

Multi-Party Negotiating Process (MPNP) in South Africa from 1 April to 2 July 1993: a summary

INTRODUCTION

The Negotiating Forum at its meeting held on 1 April 1993 mandated the (subordinate) Negotiating Council to consider and report progress on a number of issues. In compliance with this mandate, the Negotiating Council held 20 meetings between 1 April and 2 July 1993 to consider and report on, *inter alia*, constitutional issues, including the process leading to a new democratic constitution for South Africa, structures to be erected and procedures to be adopted in order to level the playing field and to supervise an election for a Parliament/Constituent Assembly.

The following constitutional issues were assigned to various Technical Committees:

- The form of State and Constitutional Principles

- The Constitution-making body/Constituent Assembly

- The transitional/interim Constitution

- Transitional regional and local government

- Fundamental human rights during the transition

- The transitional executive council and its sub-councils

- An independent electoral commission and independent media commission

- The future of the TBVC

- (Transkei/Bophuthatswana/Venda/Ciskei) States

- Self-determination

A. RECOMMENDATIONS OF THE NEGOTIATING COUNCIL ADOPTED BY THE NEGOTIATING FORUM

A.1. CONSTITUTIONAL PRINCIPLES

(The numbering below follows the report of the Negotiating Council to the Negotiating Forum.)

The Constitutional Principles agreed upon by the Negotiating Forum shall be binding on the Constitution-making body, the justiciability of these Constitutional Principles shall be ensured by a Constitutional Court/Tribunal.

2.1 The Constitution of South Africa shall provide for the establishment of one sovereign State with a democratic system of government, a common South African citizenship and a democratic system of government committed to achieving equality between men and women and people of all races.

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[*] Circulated under the double symbol A/48/285-S/26198.

2 2 The Constitution shall be the supreme law of the land. shall be binding on all organs of government. shall prohibit racial. gender and all other forms of discrimination and promote racial and gender equality and national unity

2 3 There shall be a separation of powers between the legislature. executive and judiciary. with appropriate checks and balances to ensure accountability. responsiveness and openness

2 4 The judiciary shall be competent. independent and impartial and shall have the power and jurisdiction to safeguard and enforce the constitution and all fundamental rights

2 5 There shall be representative government embracing multi-party democracy. regular elections. universal adult suffrage. a common voters roll. and in general. proportional representation

2 6 Provision shall be made for freedom of information so that there can be open and accountable administration at all levels of government

2 7 Formal legislative procedures shall be adhered to by legislative organs at all levels of government

2 8 The diversity of language and culture shall be acknowledged and protected. and conditions for their promotion shall be encouraged

2 9 Collective rights of self-determination in forming. joining and maintaining organs of civil society. including linguistic. cultural and religious associations. shall. on the basis of non-discrimination and free association. be recognized and protected

2 10 All shall enjoy universally accepted fundamental rights. freedoms and civil liberties. protected by entrenched and justiciable provisions in the constitution

2 11 The legal system shall ensure the equality of all before the law and an equitable legal process The principle of equality before the law includes laws. programmes or activities that have as their object the amelioration of the conditions of the disadvantaged. including those disadvantaged on the grounds of race. colour or gender

2 12 The institution. status and role of Traditional Leadership. according to indigenous law. shall be recognized and protected in the Constitution. Indigenous law. like common law. shall be recognized and applied by the courts subject to the provisions of the fundamental rights contained in the Constitution and to legislation dealing specifically therewith

2 13 Provision shall be made for participation of minority political parties in the legislative process in a manner consistent with democracy

2 14 Amendments to the constitution shall require special procedures involving specified majorities

2 15 Government shall be structured at national. State/Provincial/Regional (SPR) and local levels

2 16 At each level of government there shall be democratic representation This principle shall not derogate from the provisions of Principle 2 12

2 17 Each level of government shall have appropriate and adequate legislative and executive powers and functions that will enable each level to function effectively The allocation of powers between different levels of government shall be made on a basis which is conducive to effective public administration. and which promotes national unity. legitimate regional autonomy and cultural diversity

2 18 The powers and functions of national and SPR governments shall be defined in the Constitution Amendments to the Constitution which alter the powers. boundaries. functions or institutions of SPR's shall in addition to any other procedures specified in the Constitution for constitutional amendments. also require the approval of a specified majority of the legislatures of the SPR's. alternatively. if there is such a chamber. a specified majority of a chamber of parliament composed of regional representatives. and if the amendment concerns specific SPR's only. the approval of the legislatures of such SPR's will also be needed *(This principle has not yet been adopted by the Negotiating Council It was. therefore. agreed by the Negotiating Forum that the Technical Committee explore the suggested amendments and report back to the Negotiating Council)*

2 19 A framework for local government powers. duties. functions and structures. shall be set out in the Constitution The comprehensive powers. duties. functions and other features of local government shall be set out in parliamentary statutes and/or SPR legislation

2 20 The powers and functions of the national and SPR levels of government shall include exclusive and concurrent powers as well as the power to perform functions for other levels of government on an agency or delegation basis

2 21 National and SPR governments shall have fiscal powers and functions which will be defined in the Constitution The framework for local government referred to in principle 2 19 shall make provision for appropriate fiscal powers and functions for different categories of local government

2 22 Each level of government shall have a constitutional right to an equitable share of revenue collected nationally so as to ensure that SPR's and local governments are able to provide basic services and execute the functions allocated to them in the Constitution

2 23 A Financial and Fiscal Commission, representing, *inter alia*, each of the SPR's. shall recommend equitable fiscal and financial allocations to the SPR governments from revenue collected nationally. after taking into account the national interest. disparities within the SPR's as well as the population and developmental needs. administrative responsibilities and other legitimate interests of each of the SPR's

2 24 The following criteria shall be applied in the allocation of powers to the national government and the SPR governments

SPR GOVERNMENT General

2 24 1 The level at which there is most control over the quality and delivery of services. should be the level responsible and accountable for the execution of the programme or the delivery of the services

(This criterion has not yet been accepted by the Negotiating Council The Negotiating Forum agreed that the Technical Committee explore suggested amendments and report back to the Negotiating Council)

2 24 2 The national government shall not exercise its powers (exclusive or concurrent) so as to encroach upon the geographical. functional or institutional integrity of the SPR's

2 24 3 Where it is necessary for the maintenance of essential national standards. the maintenance of economic unity. the maintenance of national security or the prevention of unreasonable action taken by one SPR which is prejudicial to the interests of another SPR or the country as a whole. the constitution shall empower the national government to intervene through legislation or such other steps as may be defined in the constitution

2 24 4 The essential principles of the constitution including the fundamental rights contained therein shall apply to all organs of the state at all levels of government

National Government

2 24 5 Where there is necessity for South Africa to speak with one voice. or to act as a single entity - in particular in relation to other states - powers should be allocated to the national government

2 24 6 Where uniformity across the nation is required for a particular function. then legislative power over that function should be allocated predominantly. if not wholly. to the national government

2 24 7 Where minimum standards across the nation are required for the delivery of public services. the power to set such standards should be allocated to the national government

2.24.8 The determination of national economic policies, and the power to promote inter-SPR commerce and protect the common market in respect of the mobility of goods, services, capital and labour should be allocated to the national government.

SPR Government

2.24.9 SPR governments shall have such powers, either exclusively or concurrently with the national government, as may be necessary, *inter alia*, for the purpose of regional planning and development, and the delivery of services and aspects of health, welfare and education, within their boundaries. *(It was agreed that the Technical Committee reformulate this principle)*

Concurrent powers

2.24.10 Where mutual cooperation is essential or desirable or where it is required to guarantee equality of opportunity or access to a government service, the powers should be allocated concurrently to the national government and the SPR governments.

2.24.11 In the event of a dispute concerning the legislative powers allocated by the Constitution concurrently to the national and SPR governments which cannot be resolved by a court on a construction of the Constitution, precedence shall be given to the legislative powers of the national government.

Residual powers

2.24.12 The Constitution shall specify how powers which are not specifically allocated in the constitution to the national government or to an SPR government, shall be dealt with as necessary ancillary powers pertaining to the powers and functions allocated either to the national or SPR governments.

2.25 Notwithstanding the provision of any other clause, the right of employers and employees to join and form employer organisations and trade unions and to engage in collective bargaining shall be recognized and protected.

2.26 The independence and impartiality of a Commission for Administration, a Reserve Bank, an Auditor General and an Ombudsman shall be provided for and safeguarded by the Constitution in the interests of the maintenance of effective public finance and administration and a high standard of professional ethics in the Civil Service.

(It was suggested that the concept of the Attorney General be included within the principle. The Negotiating Forum agreed and it was therefore referred back to the Technical Committee for this purpose)

2.27 Every member of the security forces (police, military and intelligence) and the security forces as a whole shall be required to perform his or her duties and functions and exercise his or her powers in the national interests and shall be prohibited from furthering or prejudicing party political interest.

The following principles were not adopted and must still be considered by the Negotiating Council:

> "Nothing in the above Constitutional Principles shall prevent an SPR from democratically approving its own Constitution, which shall not be in conflict with the National Constitution." *(This principle will be pursued in bilateral meetings with the Negotiating Council.)*
>
> "The right of self-determination of peoples, which allows them to determine their own political status through legislative and executive powers in the form of territorial independence and autonomy, is acknowledged". *(This is the Conservative Party's draft principle on self determination. It was agreed that the Negotiating Council refer this whole issue back to the Technical Committee)*

A.2 STATES/PROVINCES/REGIONS (SPR's)

The Negotiating Forum confirmed the establishment of a Commission on the Delimitation/Demarcation of SPR's, which shall report to the Negotiating Council in due course.

The Constitutional Principles as stated above relating to SPR's were adopted by the Negotiating Forum as being binding on the Constitution-Making Body.

The Negotiating Forum agreed that the powers, functions, and structures of regions for the transition period shall be incorporated in the Constitution for the transition period.

The Negotiating Forum agreed that the election of Regional Legislatures and the establishment of Regional Governments in the transitional period shall be provided for in the Constitution for the transitional period.

A.3 CONSTITUTION FOR THE TRANSITION PERIOD AND THE CONSTITUTION-MAKING BODY

The Negotiating Forum agreed that the Technical Committee on Constitutional Issues shall draft a constitution for the transition period which shall make provision for:

- The election according to a system of proportional representation of a Constitution-making body, legislature and national government for the transitional phase which will include a National and Regional component. With regard to constitution-making, this Constitution shall provide for deadlock breaking and special majorities by which decisions will be taken.
- The election of regional legislatures and the establishment of regional governments in the transition.
- The powers, functions and structures of regions for the transitional period.
- Fundamental human rights on a justiciable basis during the transitional period.
- A Constitutional court/tribunal to ensure the justiciability of the Constitutional Principles, of the fundamental rights and of the Constitution itself.

A.4 FUNDAMENTAL HUMAN RIGHTS DURING THE TRANSITION

The Negotiating Forum noted that a final report on Fundamental Human Rights during the Transition will be presented to the Negotiating Council in due course.

B RECOMMENDATIONS FOR LEVELLING THE PLAYING FIELD AND PROMOTING CONDITIONS CONDUCIVE TO THE HOLDING OF FREE AND FAIR ELECTIONS

B.1 INDEPENDENT ELECTORAL COMMISSION (IEC)

The Negotiating Forum agreed in principle that an independent electoral commission be established, whose object shall be to administer and conduct a free and fair democratic electoral process of the new Parliament/Constituent Assembly/SPR Governments, including responsibility for any other matter connected therewith.

The Negotiating Forum noted that a draft bill for the establishment of the Independent Electoral Commission, as well as a draft Electoral Act is being prepared by the Technical Committee.

B.2 INDEPENDENT MEDIA COMMISSION (IMC) AND INDEPENDENT BROADCASTING AUTHORITY (IBA)

The Negotiating Forum agreed in principle that an independent media commission be established with the following objectives:

- To ensure equitable treatment of political parties by broadcasting services;
- To ensure that State-financed publications and State-information services are not used to advance the interest of any political party,

so as to contribute towards the promotion and creation of a climate favourable to free political participation and a free and fair election

The Negotiating Forum noted that a draft bill for the establishment of the Independent Media Commission and for the Independent Broadcasting Authority has been prepared by the Technical Committee for consideration by the Negotiating Council in due course

B 3 AMENDMENT OR REPEAL OF LEGISLATION IMPEDING FREE POLITICAL ACTIVITY AND DISCRIMINATORY LEGISLATION

The Negotiating Forum agreed in principle that a "Higher Code" should be established to deal with this legislation The Technical Committee will present a final report to the Negotiating Council in due course The Negotiating Forum ratified this instruction (The National Party indicated that it wants clarity before taking a final decision on the "Higher Code")

B 4 TRANSITIONAL EXECUTIVE COUNCIL

The Negotiating Forum agreed to

Instruct the Technical Committee on the Transitional Executive Council and its Sub-Councils to begin with the drafting of legislation on the basis of the framework presented in paragraph 1 of their First Report, thereby putting into one document all the provisions and present the Negotiating Council with draft legislation

The establishment of a Transitional Executive Council in principle, in line with the Resolution on Steps to be Taken for the Purposes of Establishing a New Constitutional Order as adopted by the Negotiating Council on 30 June 1993 *(See appendix A for the text of this resolution)* This is an in-principle decision and the details of the draft legislation will still have to be discussed

C RESOLUTION ON AN ELECTION DATE

RESOLUTION BY THE NEGOTIATING FORUM ON THE CONTINUATION OF THE NEGOTIATING PROCESS

"This meeting of the Negotiating Forum held on Friday 2 July, 1993,

"Having noted the adoption by this Forum of the reports and recommendations tabled by the Negotiating Council at this meeting,

"Hereby

"1 Confirms the date for the election as the 27 April 1994;

"2 Instructs the Negotiating Council to

2 1 Take note of the fact that a constitution for the transition period will have to be adopted and to identify the other agreements to be reached as well as the implementation steps to be taken before the election can take place;

2 2 Prepare time scales for the agreements and the implementation steps to be undertaken for the election to take place;

2 3 Determine whether the election can be held on an earlier date than the 27 April 1994 if a final settlement on the substantive issues should be reached earlier, and

2 4 Determine the precise number of days over which the elections will be held in co-operation with the Independent Electoral Commission "

APPENDIX A

Resolution on steps to be taken for the purposes of establishing a new constitutional body

1 The Negotiating Council agrees on the following steps to be taken for the purposes of establishing a new constitutional order

1 1 The MPNP shall adopt the constitutional principles including the principles of regional government providing for both strong regional government and strong national government.

1 2 The Constitutional Principles shall be binding on the Constitution-making body and shall be justiciable by a constitutional court/tribunal.

1 3 The Commission on Delimitation/Demarcation appointed by the MPNP will make recommendations to the MPNP on regional boundaries for the purposes of elections and Regional Government for the transitional phase.

1 4 The MPNP shall agree on legislation to make provision for the following structure for the purpose of levelling the playing field and promoting conditions conducive to the holding of free and fair elections

1 4 1 A Transitional Executive Council;

1 4 2 An independent electoral commission;

1 4 3 An independent media commission and an independent broadcasting authority

1 5 The MPNP shall agree on details of discriminatory legislation to be repealed.

1 6 The MPNP shall agree on a Constitution for the transitional period.

2 The Negotiating Council accordingly requests the Technical Committee on Constitutional Issues to draft a Constitution for the transition which shall make provision for

2 1 The election according to a system of proportional representation of a Constitution-making body, legislature and national government for the transitional phase which will include a National and Regional component With regard to constitution-making, this Constitution shall provide for deadlock-breaking and special majorities by which decisions will be taken

2 2 The election of regional legislatures and the establishment of regional governments in the transition.

2 3 The powers, functions and structures of regions for the transitional period.

2 4 Fundamental human rights on a justiciable basis during the transitional period.

2 5 A Constitutional court/tribunal to ensure the justiciability of the Constitutional Principles, of the fundamental rights and of the constitution itself

3 Participants are given until 12 July 1993 to make further inputs to the Technical Committee (on Constitutional Issues) with regard to the above draft Constitution for the transition

4 This is agreed against the background of paragraph 6 of the explanatory memorandum adopted by the Negotiating Council of 30 April 1993

DOCUMENT S/26200

Further report of the Secretary-General

[*2 August 1993*]
[*Original: English*]

INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 813 (1993). Paragraphs 17, 18 and 19 of that resolution asked me to consider, in consultation with the Economic Community of West African States (ECOWAS), convening a meeting of the Liberian parties to recommit themselves to implementing the Yamoussoukro IV Accord [*S/24815 of 17 November 1992, annex*], to discuss with them and ECOWAS the contribution - including military observers - which the United Nations could make to that implementation and to report to the Security Council as soon as possible.

2. This report informs the Council of developments following my last report on Liberia of 12 March 1993 [*S/25402*]. The report focuses on the negotiations among the Liberian parties which led to the Cotonou Agreement of 25 July 1993 [*S/26272, annex*] and on the proposed role of the United Nations in the implementation of that agreement. Observations and recommendations in this regard are to be found in the concluding section of the report.

I. NEGOTIATIONS ON THE LIBERIAN PEACE ACCORD

A. *Preparations*

3. The Special Representative for Liberia returned to the region on 4 April 1993 with instructions to prepare the ground for talks between the Interim Government of National Unity (IGNU), the National Patriotic Front of Liberia (NPFL) and the United Liberation Movement for Democracy in Liberia (ULIMO). He remained in the region throughout the recent period. In early discussions, it became evident that the Liberians wished very much to meet and resolve the conflict among themselves. In repeated visits to the Liberian parties, as well as to the Heads of State of West African countries, a provisional agenda for peace talks was prepared. The agenda was designed to meet the concerns of the individual parties and was consistent with the ECOWAS Peace Plan and the Yamoussoukro IV Accord.

4. Agreement on the agenda led to a request by the parties that I convene peace talks. After considerable discussion, the parties agreed to meet at United Nations headquarters in Geneva. Talks were held there during 10-17 July, at my invitation, on behalf of President Nicéphore Soglo, current Chairman of ECOWAS, and Dr. Salim Ahmed Salim, the Secretary-General of the Organization of African Unity (OAU).

B. *The negotiations*

5. The two most difficult issues in the negotiations were the composition and structure of the transitional government and the procedures for the encampment, disarmament and demobilization during the transition.

6. With respect to the structure of the transitional government, the parties agreed to establish a five-member collective executive body, the Council of State. It was also agreed that any individual who occupied a leadership position in the transitional government would not be eligible to present themselves as candidates in the elections to take place during the seven-month transition period.

7. Given the level of mistrust existing between the ECOWAS Military Observer Group (ECOMOG) and the NPFL, special measures were devised to make ECOMOG acceptable to all parties in overseeing encampment, disarmament and demobilization. It was agreed that ECOMOG would be expanded to include new troops from countries not already participating in ECOMOG. These troops would be drawn from other ECOWAS countries, as well as from OAU countries outside of the West African subregion. In addition, it was proposed that United Nations military observers would monitor and verify the cease-fire as well as the implementation of the encampment, disarmament and demobilization provisions of the agreement.

8. While some aspects of a framework settlement were agreed upon in Geneva, the difficulty and intensity of the negotiations led to the conclusion that the final agreement should be reached and a document signed by leaders of all the parties at an ECOWAS Summit meeting to be held at Cotonou on 22-24 July 1993.

II. THE COTONOU AGREEMENT

9. The agreement was signed on 25 July 1993 at Cotonou in the presence of President Nicéphore Soglo, the current Chairman of ECOWAS; the Under-Secretary-General for Political Affairs, James O. C. Jonah, on my behalf; and Professor Canaan Banana, Eminent Person of the OAU.

10. The agreement provides that a cease-fire and the cessation of hostilities would take effect seven days from the date on which the agreement was signed, that is, on 1 August 1993. ECOMOG would supervise and carry out the implementation of the agreement, while monitoring and verification of the same would be effected by the United Nations. To ensure against any violation of the cease-fire between 1 August and the arrival of the additional ECOMOG troops and the main body of United Nations observers, the parties agreed to establish a Joint Cease-fire Monitoring Committee, comprising representatives of the three Liberian parties, ECOMOG and the United Nations. This body will be chaired by the United Nations. During this initial period, the United Nations has undertaken to consider dispatching 30 military observers to Liberia to participate in the work of the Joint Cease-fire Monitoring Committee.

11. On the political side, the parties agreed that there should be a single Liberian National Transitional Government which would have three branches (legislative, executive and judicial). The disposition of the Cabinet, Supreme Court, the Transitional Legislature and the Electoral Commission reflected the determination of the parties to emphasize the inclusionary character of the transitional period.

12. General and presidential elections are to take place within seven months from the signing of the agreement. The agreement provides details of the modalities for elections which will be supervised by a reconstituted Electoral Commission. At an earlier point, in February 1992, when the organization of elections was under discussion, the Interim Government requested financial and technical assistance from the United Nations, as well as assistance for the despatch of international observers to observe the electoral process. Two consultants were sent to Liberia by the United Nations in May 1992 to evaluate the availability of population data and the situation of constituency maps and to provide support to the Electoral Commission. Subsequently, the ECOWAS summit, held at Dakar in July 1992, invited the Secretary-General to take all necessary measures to facilitate the verification and monitoring of the electoral process in Liberia by the United Nations. This request had been reiterated at previous ECOWAS meetings, but could not be met because of conditions in Liberia. The United Nations now stands ready to assist the reconstituted Electoral Commission, when it becomes operational, in the organization and conduct of free and fair elections.

13. Regarding humanitarian assistance, the accord asks that all efforts should be made to deliver humanitarian assistance throughout Liberia, using the most direct routes and with inspection to ensure compliance with the sanctions and embargo provisions of the agreement. The United Nations, in particular the United Nations High Commissioner for Refugees, is requested to carry out all necessary planning and mobilization to facilitate the speedy return of refugees and their reintegration into their communities.

14. With a view of ensuring smooth and prompt implementation of the Cotonou Peace Accord, Under-Secretary-General James O. C. Jonah also signed a Memorandum of Understanding stating that the United Nations will use its best efforts to mobilize assistance for demobilizing soldiers who may have no other means of sustenance and that, in the interim period when such international donor support is being mobilized, the United Nations agrees to make use of NPFL food and medicine available in Côte d'Ivoire for NPFL's demobilizing soldiers.

III. OBSERVATIONS AND CONCLUSIONS

15. I welcome the agreement signed by the Liberian factions at Cotonou on 25 July 1993. While it would be less than prudent to underestimate the difficulties that will still undoubtedly be encountered, this agreement, for which the Liberians themselves are largely responsible, offers the hope that the violent and destructive civil war which has afflicted Liberia may at long last be brought to an end.

16. In my previous report to the Security Council, I noted that there seemed to be consensus that the United Nations assume a larger role in the search for peace in Liberia. Throughout the period of the civil war, the United Nations has played a major role in providing humanitarian assistance to the victims of the struggle in Liberia. The appointment of my Special Representative, Mr. Trevor Gordon-Somers, led to an intensification of the efforts on the part of the United Nations to promote national reconciliation in Liberia. I wish to commend Mr. Gordon-Somers for his persistence and skill in helping to create the conditions which allowed the parties to the conflict in Liberia to recognize that a return to peace was both feasible and desirable.

17. Liberia continues to represent an example of systematic and effective cooperation between the United Nations and regional organizations, as envisaged in Chapter VIII of the Charter. The role of the United Nations has been a supportive one. Closest contact and consultation have been maintained with ECOWAS, which will continue to play the central role in the implementation of the peace agreement. The involvement and support of the Organization of African Unity in the search for peace has also been most useful. The United Nations has been requested by ECOWAS to establish a trust fund which could be utilized to enable African countries to be able to send reinforcements to ECOMOG and to provide necessary assistance to countries already participating in ECOMOG.

18. The future role of the United Nations, while continuing to be supportive in nature, is nevertheless crucial to the effective implementation of the Liberian peace agreement. Accordingly, it is my intention to commence planning for the dispatch to Liberia as soon as possible of an advance team of United Nations observers referred to in paragraph 10 above. I also intend to send immediately a technical team to Liberia to draw up detailed plans for the establishment of a United Nations observer mission in that country. Once this team has completed its work, a further report, containing specific recommendations and financial implications, will be submitted to the Council.

19. The rapid expansion of humanitarian assistance activities throughout Liberia will be an essential component in establishing conditions conducive to the successful implementation of the Cotonou peace agreement. Arrangements are already being made to mount relief convoys utilizing supplies currently available as soon as conditions permit. In addition, a consolidated inter-agency appeal will be issued shortly outlining estimated requirements for Liberia. This appeal will cover the traditional areas of humanitarian activities and also take into account requirements for implementing specific assistance programmes for the re-insertion of displaced persons, returnees and ex-combatants, initial assistance for the demobilization of ex-combatants, and technical assistance to the elections process. It is hoped that the international community will respond promptly and generously to the needs identified.

DOCUMENT S/26201*

Letter dated 30 July 1993 from the observer of Palestine to the Secretary-General

[*Original: English*]
[*30 July 1993*]

In reference to the letter dated 29 July 1993 [*S/26196*], I would like to state the following.

We firmly support the unity, territorial integrity and sovereignty of Lebanon, and we do also appreciate the brotherly relationship that exists between the Executive Committee of the Palestine Liberation Organization and the Palestinian leadership on the one hand and the Lebanese Government on the other hand.

At the same time, we adhere to our duty and right to defend the safety and well-being of Palestinian civilians, including those living in the refugee camps of Lebanon, against Israeli attack. In this regard, we recall several previous agreements on the security and safety of the Palestinian civilians in those refugee camps.

We sympathize greatly with, and also share in, the suffering of Lebanon in the face of the recent Israeli aggression, and we do support the steps taken by the Government of Lebanon in this regard. However, we were compelled to move, after several days following the start of the Israeli aggression, and in light of the apparent lack of action, with the aim of defending Palestinian civilians through the established international machinery, in this case the Security Council, which has clear responsibilities under the Charter of the United Nations.

We reiterate our belief that the Security Council has to consider immediately the situation and take concrete measures to bring the Israeli aggression to an end, and we call upon the Council to do so, as we did in our letter dated 28 July 1993 [*S/26191*].

I would be grateful if you would arrange to have the text of the present letter distributed as an official document of the General Assembly and of the Security Council.

(*Signed*) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

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[*] Circulated under the double symbol A/48/287-S/26201.

DOCUMENT S/26204

Letter dated 11 July 1993 from the representative of Iraq to the Secretary-General

[*Original: Arabic*]
[*2 August 1993*]

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 5 July 1993 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the decisions adopted by the Sanctions Committee at its 95th meeting.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Nizar HAMDOON
Permanent Representative
of Iraq
to the United Nations

LETTER DATED 5 JULY 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF IRAQ TO THE SECRETARY-GENERAL

I have the honour to refer to my letter of 25 June 1993 [*see S/26027*] in which I set forth our view of the decisions adopted in the name of the Sanctions Committee established by Security Council resolution 661 (1991) at its 94th meeting. Having been informed of the decisions of this Committee at its 95th meeting, I have felt that the decisions adopted in the name of the Committee at this meeting require that I should address myself to you once more. With each of the Committee's meetings I feel sure, as must any fair-minded person who examines the working methods and decisions of the Committee, that it is the prior political motives and preconcerted designs against Iraq of certain States permanent members of the Security Council that govern the Committee's work and that impose upon it the use of selectivity in order to achieve the prearranged goal of reinforcing the embargo imposed on the long-suffering Iraqi people without regard for its basic needs or for its distress.

At this meeting, the representatives of the United States, the United Kingdom and France rejected requests that come within the purview of basic civilian humanitarian needs for the daily lives of the Iraqi people. This should give you cause to pause and review the work of the Committee in question, in the hope that you will intervene to bring an end to the biased interpretation and application of the Security Council resolutions concerning the economic embargo against Iraq being imposed by the representatives of these three countries. There follow hereunder examples of the requests rejected by the three representatives at the meeting in question.

1. The United States representative objected to the export to Iraq of 200 tons of polyester and acrylic yarn used in textile production on the grounds that it constituted an input to industry. It is, however, a civilian item that serves only the purpose for which it is imported, and there are no provisions in the Security Council resolutions relating to Iraq that prohibit the importation of inputs to civilian industry or to the textile industry.

2. The United Kingdom representative objected to the export of 300 units of polyvinyl chloride (PVC) for a non-government hospital on the grounds that it was for the private hospitals sector. The British objection has no legal basis; hospitals, whether governmental or non-governmental, provide essential medical services to the Iraqi people as a whole. We can only interpret the British objection as having the aim of bringing about a breakdown and collapse in the health sector. As you well know, medication is not the only treatment that may save patients, particularly children, the elderly and vulnerable groups in general, and there is a whole series of essential medical needs that must be met.

3. The United Kingdom representative objected to the export of 103 rolls of galvanized steel plate to the Al-Fajr Plant for Steel Industries on the grounds that it was an input to industry. When the representative of Morocco, supported by the representative of Djibouti, drew attention to the fact that the material was intended for the food industry and stated that the position of the Committee must accordingly be characterized by flexibility, the United States representative asserted that it was not possible to verify the identity of the end-user. This request is for materials of a service-related humanitarian character whose availability is necessary for the functioning of those food and health services regarded as key elements in the array of essential humanitarian needs of any civilized society.

4. The United Kingdom representative objected to the export of 45 crates of cable joints to a private enterprise. He justified his objection on the grounds that he was not convinced that schools and hospitals were the end-users. Rejections of this kind are arbitrary. They have the aim of blocking any request that falls within the scope of civilian humanitarian needs, and they ignore the fact that such needs are made up of an interconnected series of services, materials and items of equipment.

5. The United Kingdom representative objected to the export of 25,935 tons of chemical additives for the Al-Mamoon Company for the production of building materials on the grounds that they were inputs to the construction materials industry. The representative of Morocco commented that the construction of housing was a humanitarian need and that the Committee must be flexible. As you are aware, there are no Security Council resolutions that prohibit Iraq from fabricating materials for the construction of dwellings, which are an essential humanitarian need for Iraqis. Objection to requests of such a civilian humanitarian character can only have the aim of creating substantial structural imbalances in the economic and social fabric of the Iraqi people for prearranged political goals.

6. The United Kingdom representative objected to the export of 15,000 tons of steel bars to the Ekur Trading Agency in Baghdad on the grounds that this was a multi-use item. When the representative of Morocco pointed out that the material would be used in the construction of houses, the United Kingdom representative did not alter his position.

7. The United States representative objected to the export of 66 containers of granite, for hospitals and health care centres, to a government agency in the health sector on the grounds that it is not a basic item. This is a finished item that is used for humanitarian purposes in medical institutions. If the United States representative had rid himself of his preconceived political motives, he would not have objected to this or other items that help the Iraqi people to live in a manner in keeping with the humanitarian requirements of the contemporary era.

The examples given above of refusals at the 95th meeting of the Committee to allow importation of items of a civilian humanitarian character indicate in a way that leaves no room for doubt that the embargo is intended to destroy Iraqi society by prior determination, in a calculated and organized endeavour and for motives that are incompatible with the values, customs and laws on which human society has been based in past and present times. We are unable to interpret the persistence of the representatives of the United States, the United Kingdom and France in rejecting so many requests without convincing grounds and without legal support other than as a retaliatory political measure being applied by the three countries against the people of Iraq.

I request you to have this letter circulated as a document of the Security Council.

(*Signed*) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

DOCUMENT S/26205

Letter dated 30 July 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*2 August 1993*]

I have the honour to inform you that Armenian troops, following their occupation of the city of Agdam, are continuing efforts to consolidate the positions they have seized. They have captured all the dominating heights around the city. According to reports received by the Ministry of Defence of Azerbaijan, Armenian snipers and machine-gunners have also taken up positions in tall buildings in the city, including in the minarets of the Agdam mosque.

In addition to seizing control of the city, Armenian subunits are attempting to advance along roads deep inside the Azerbaijani Republic, in the direction of the towns of Barda and Agjabedi. In the evening of 29 July 1993, a force of four tanks, two armoured vehicles and as many as 300 soldiers attacked positions of the Azerbaijani army in these areas. The attack was repulsed after a two-hour battle.

For the last three days inhabited settlements in the Kazakh district of Azerbaijan have been subjected to shelling from Armenian territory. During the night of 29 July there was sporadic firing on the village of Tatly in the Akstafa district of Azerbaijan from tanks and machine-guns in the area of the Paravakar frontier base, situated in the Berd district of Armenia.

In the light of the adoption, on 29 July 1993, of Security Council resolution 853 (1993), in which the Council "demands the immediate cessation of all hostilities and the immediate, complete and unconditional withdrawal of the occupying forces involved from the district of Agdam and all other recently occupied areas of Azerbaijan", I ask you to take appropriate measures to ensure compliance by the Republic of Armenia with the provisions of this resolution.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26206

Letter dated 30 July 1993 from the representative of Austria the President of the Security Council

[*Original: English*]
[*31 July 1993*]

Upon instructions from my Government I have the honour to draw your attention to the recent deterioration of the situation regarding transshipments on the Danube caused by the blockade of the river Danube at Belgrade. Austria is deeply concerned about this potentially dangerous development and its possible consequences. States strictly acting in accordance with the Security Council resolutions on sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) are now confronted with acts of retortion. Those acts can only be considered as directed against the resolutions of the Security Council and as an attempt to impede their implementation. They also constitute a flagrant violation of the principles of free navigation and of the obligations under the Danube Convention.[13]

Austria therefore requests the Security Council to take the necessary measures to bring about the lifting of this blockade of the Danube which clearly violates international law. Austria requests the Security Council to call upon the Federal Republic of Yugoslavia (Serbia and Montenegro) to implement effective measures to end the blockade and to secure the free and safe navigation on the Danube.

I would be grateful if you could have the present letter circulated as a document of the Security Council.

(*Signed*) Thomas HAJNOCZI
Chargé d'affaires a.i.
of the Permanent Mission
of Austria
to the United Nations

DOCUMENT S/26207

Letter dated 30 July 1993 from the representative of the Islamic Republic of Iran to the Secretary-General

[*Original: English*]
[*31 July 1993*]

I have the honour to transmit a letter dated 30 July 1993 from Mr. Ali Akbar Velayati, the Foreign Minister of the Islamic Republic of Iran addressed to you about the ongoing Zionist aggression against Lebanon.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(*Signed*) Kamal KHARRAZI
Permanent Representative
of the Islamic Republic of Iran
to the United Nations

LETTER DATED 30 JULY 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE ISLAMIC REPUBLIC OF IRAN TO THE SECRETARY-GENERAL

The people and Government of the Islamic Republic of Iran are outraged by the Zionist regime's wanton use of deadly force against innocent people in Lebanon who only seek to restore territorial integrity of their homeland. The Zionist indiscriminate attacks launched on land and from air and sea against Lebanon is reminiscent of, if not worse than, the original aggression against and invasion of that country in 1982. The rampant bombardments throughout Lebanon since Sunday, 25 July 1993, has taken a heavy toll on the people in Lebanon. Several hundred innocent civilians have been killed; hundreds of thousands have been displaced, and several hundred residential units have been wiped out. Regrettably, the Security Council and those who freely wield influence there have been outrageously and predictably taciturn in their reactions.

The Government of the Islamic Republic of Iran strongly condemns the Zionist entity for its aggression and barbaric attacks against the people of Lebanon. The people and Government of the Islamic Republic of Iran empathize with the people and Government of Lebanon and extend their political and moral support to them in their just struggle to free their land from Zionist occupation in accordance with Security Council resolution 425 (1978).

The Zionist regime and its patrons have engaged in an attempt to whitewash their responsibility for the daily inhuman crimes they commit in Lebanon by pointing their fingers in every possible direction. The Zionist conspirators and their accomplices try to frame others as instigators of the recent conflict. They, in fact, seek to rewrite history in the making by distorting the fact that tragedies taking place in Lebanon are the direct consequence of the initial invasion of Lebanon and of continued occupation of its southern region and the fact that Lebanese people are only reacting to foreign occupation of their territory.

The campaign of disinformation orchestrated by Zionist quarters against the Islamic Republic of Iran, of which the recent baseless and engineered propaganda about alleged Iranian role in Lebanon is a simple example, is alarming and dangerous. It is a clear illustration of the deceitful character of the hidden Zionist agenda for further aggression in the greater region. The Government of the Islamic Republic of Iran wishes to forewarn the international community of the repercussions of continuation of such Zionist plots and of its adventurism.

The responsibility for the savage crimes committed against the people of Lebanon and for the longstanding occupation of and aggression in that country are borne solely by the Zionist regime. The people of Lebanon have demonstrated ultimate courage and steadfastness in their struggle against foreign occupation. They deserve the full support of the international community and the urgent, serious, and effective intervention by the Security Council in accordance with the Charter of the United Nations to halt the unbridled Zionist violence in Lebanon.

(*Signed*) Ali Akbar VELAYATI
Foreign Minister of the
Islamic Republic of Iran

DOCUMENT S/26210

Letter dated 28 July 1993 from the representative of Yugoslavia to the Secretary-General

[*Original: English*]
[*1 August 1993*]

I have the honour to transmit herewith the text of a letter dated 28 July 1993 from Mr. Vladislav Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia addressed to the President of the Security Council, in reference to the letter dated 20 July 1993 [*S/26121*] addressed to the President of the Council by Mrs. Margaretha af Ugglas, Chairman of the Council of the Conference on Security and Cooperation in Europe.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission
of Yugoslavia to the United Nations

TEXT OF THE LETTER

Further to the letter addressed to you by Mrs. Margaretha af Ugglas, Chairman of the Conference on Security and Cooperation in Europe (CSCE) Council on 20 July, informing you of the cessation of the work of the CSCE missions of long duration in the Federal Republic of Yugoslavia, I want to inform you of the following.

Although the representatives of the Federal Republic of Yugoslavia were unjustly suspended from the work of CSCE meetings by the decision taken at the thirteenth meeting of the CSCE Committee of Senior Officials held on 8 July 1992, the Government of my country continued to fulfil its CSCE commitments, playing host to a number of visits by CSCE missions and complying with all CSCE principles and standards. Despite the discriminatory position imposed on Yugoslavia by the suspension decision, the Yugoslav Government accepted the CSCE missions of long duration, demonstrating thus its readiness to cooperate with CSCE.

It was our rightful hope and demand that, on their part, the competent CSCE bodies would respect our cooperative and consistent attitude and re-examine their suspension decision, thus enabling the representatives of the Federal Republic of Yugoslavia to participate again in CSCE activities. Unfortunately, despite our cooperative attitude, the Yugoslav representatives continue to be denied the right to participate in any activity of CSCE, even the right to participate in discussions and provide information about questions related to the Yugoslav crisis. It is absolutely necessary to overcome this state of affairs soon and treat the Federal Republic of Yugoslavia as a sovereign State and an equal partner. We cannot be given endless new demands and always set new conditions to be fulfilled without normal participation by us in the decision-making process.

I take this opportunity to inform you that the Yugoslav side has been ready to and interested in continuing cooperation with CSCE on an equal footing, as we have stated on numerous occasions. The Yugoslav Government therefore considers that there is no reason for the discriminatory treatment of the Federal Republic of Yugoslavia within CSCE and that the suspension decision should be lifted. In this context we have proposed a dialogue with competent CSCE bodies on questions related to the normalization of relations between the Federal Republic of Yugoslavia and CSCE and our reintegration in all CSCE activities. Such an offer for cooperation was also made during the recent talks between a high-ranking representative of the Yugoslav Government with the representatives of the CSCE "troika" on 9 July 1993 in Stockholm. We are very interested in the continuation of this dialogue and we expect that representatives of the CSCE "troika" will visit Belgrade for further talks. Continued isolation of the Federal Republic of Yugoslavia from CSCE activities is not conducive to the continuation of cooperation and the extension of the present status of the Federal Republic of Yugoslavia is not in anybody's interest.

As to the question of the continued acceptance of the CSCE missions of long duration by the Federal Republic of Yugoslavia, let me point out once again that the Yugoslav Government is willing and ready to continue to cooperate with CSCE, but only as an equal partner. Regulating our status and enabling our representatives to participate again in CSCE activities would, in my opinion, be mutually beneficial. Normalization of cooperation between the Federal Republic of Yugoslavia and CSCE would certainly facilitate the acceptance of the CSCE missions of long duration in the Federal Republic of Yugoslavia in future.

I would like to assure the members of the Security Council that the Government of the Federal Republic of Yugoslavia is ready and willing to continue to cooperate with CSCE and its various missions. We are the ones that are unjustly prevented from participating in CSCE, and it would be unjust and unfair to imply that we are the ones to be blamed for a non-cooperative attitude.

(*Signed*) Vladislav JOVANOVIC
Federal Minister for Foreign Affairs

DOCUMENT S/26211

Letter dated 30 July 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*1 August 1993*]

Acting upon the instructions of my Government, I would like once again to draw your attention to the tragic situation in central Bosnia, where an offensive by Muslim forces continues at the expense of the civilian Croatian population. Thousands of Croats have been ethnically cleansed from that area, and almost 200,000 of them are surrounded by Muslim or Serbian forces in several small enclaves. A United Nations Protection Force (UNPROFOR) report from the field dated 29 July 1993 stated: "Bosnian Army forces are reported to be advancing south, pushing back Croat forces".

I must remind you that the Republic of Croatia, in two letters addressed to the Security Council [*S/25920 and S/26146*], raised the question of the aforementioned problem and called for an emergency meeting of the Security Council. Unfortunately, the Council has so far not taken appropriate measures that would suffice to stop the attacks against Croats in central Bosnia. I therefore repeat the call for an emergency meeting of the Council, in the sincere hope that it will benefit all the endangered people on the territory of the Republic of Bosnia and Herzegovina.

Considering that thousands of innocent lives in central Bosnia are in serious jeopardy, my Government urges the Security Council to proclaim safe-area status for the following areas: Bugojno; Jablanica; Prozor; Kresevo-Kiseljak-Fojnica; Novi Travnik-Vitez-Busovaca; and Vares. Placing these areas under United Nations protection is essential for preventing a human disaster and establishing firm peace in the entire region.

The Republic of Croatia is ready to provide its full support to UNPROFOR in the noble task that it is undertaking in the Republic of Bosnia and Herzegovina. In this regard, Croatia will continue to do all it can to allow for the uninterrupted delivery of humanitarian aid in the Republic of Bosnia and Herzegovina and to repress all kinds of extremism that are threatening the security of the peace forces and undermining the efforts for peaceful settlement of the crisis. I want to emphasize that Croatia favours all measures aimed at effective protection of UNPROFOR personnel, and accordingly will support appropriate decisions made by the United Nations Secretariat and the Security Council.

I should be grateful if you would provide for the distribution of this letter as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

DOCUMENT S/26220

Letter dated 30 July 1993 from the representative of Croatia to the Secretary-General

[*Original: English*]
[*2 August 1993*]

I would like to draw your attention to the letter from the Minister for Foreign Affairs of the Republic of Croatia, Mr. Mate Granic, addressed to you on 18 June 1993 [*S/25973*] concerning the separation of the mandate of the United Nations Protection Force (UNPROFOR) into three independent mandates, one for the Republic of Croatia, a second for the Republic of Bosnia and Herzegovina and a third for the Republic of Macedonia.

My Government still considers the above proposal and the arguments contained in the letter to be fully viable and, in the spirit of your recent meeting with Mr. Granic, I have the honour to propose that the initial steps in the process of separation could be the following:

1. Giving a new name to the operation in Croatia, from which it would be *prima facie* evident that the peace-keeping force is located on the territory of the Republic of Croatia.

2. Separating the civilian sector of the so-far unified operation by creating an independent office for fulfilling the civilian tasks of the peace-keeping operation, including the Head of Civilian Affairs, that would have the authority and responsibility only for the territory of Croatia.

3. In further reviews of revisions of the mandate of the peace-keeping force in Croatia, having the relevant resolutions or statements of the Security Council, as well as all the documents of the Secretariat, reflect the fact that the mandate in Croatia is *per se* separate, and that the documents deal with this mandate only, and do not include the mandates in the Republic of Bosnia and Herzegovina and the Republic of Macedonia.

4. Signing the Status of Force Agreement between the United Nations and the Croatian Government that would be in effect for the territory of the Republic of Croatia within its international borders.

It is the strong belief of my Government that these first steps would facilitate the mandate of UNPROFOR in the Republic of Croatia. We have a full understanding of the financial and operational difficulties which the UNPROFOR operation is facing. In this regard, Croatia is ready to cooperate with the United Nations, but I must once again emphasize the political and legal importance of the above measures.

I would ask for your kind assistance in having this letter distributed as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

DOCUMENT S/26221*

Letter dated 2 August 1993 from the representative of Lebanon to the Secretary-General

[*Original: English*]
[*2 August 1993*]

It is regrettable that the Permanent Observer of Palestine to the United Nations, in his letter dated 30 July 1993 [*S/26201*], saw fit once more to interfere in the internal affairs of Lebanon by reiterating his demand that the Security Council consider immediately the situation resulting from the Israeli aggression against Lebanon.

The Palestinian civilians, who live in the refugee camps and were subjected along with Lebanese civilians to Israel's savage and

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[*] Circulated under the double symbol A/47/996-S/26221

brutal attack, reside on Lebanese national soil. Their presence in Lebanon and the regulation of their livelihood, including their safety and protection fall strictly within the jurisdiction of Lebanese law.

It is an accepted maxim of international law that every sovereign nation has the power, as is inherent in sovereignty and essential to self-preservation, to protect and safeguard the well-being of its citizens and all others who live on its territory.

Consequently, we reiterate the position of the Government of Lebanon that the matter of the Israeli aggression against Lebanon, and the convening of the Security Council to deal with it, remains the exclusive right of Lebanon because it falls totally within its jurisdiction and sovereignty.

I should be grateful if you would have the text of the present letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Khalil MAKKAWI
Permanent Representative
of Lebanon
to the United Nations

DOCUMENT S/26222

Letter dated 2 August 1993 from the representative of Georgia to the President of the Security Council

[*Original: English*]
[*2 August 1993*]

I have the honour to transmit to you a copy of the appeal by the Chairman of the Parliament, Head of State of the Republic of Georgia, Mr. Eduard Shevardnadze, dated 28 July 1993.

I should be grateful if you could arrange for this letter, as well as the attached Appeal, to be circulated as a document of the Security Council.

(*Signed*) Peter P. CHKHEIDZE
Permanent Representative
of Georgia
to the United Nations

TEXT OF THE APPEAL

The agreement on cease-fire in Abkhazia has been signed. At noon today the cannons will fall silent. This is the third attempt to put an end to the fratricidal war. The first two were foiled and it cost the Georgian and the Abkhaz peoples a great deal. I hope that the third attempt will be the last one and peace will finally prevail in our common land.

For this to happen each participant of the peace process - the leaders on both sides, those who conduct actual monitoring, the military observers and the Blue Helmets - should display highest sense of responsibility.

Each soldier, whichever side he may have been fighting for, will now need greater courage than at the battlefield - the courage to establish peace.

It takes courage and patience, tolerance and magnanimity of our citizens - Georgians, Abkhazs, Armenians, Russians and Greeks, who have immensely suffered as a result of this war. It is hard to call for forgiveness when the wounds are still sore, but without it nothing can stop the bloodshed.

I request the Secretary-General of the United Nations, the Security Council and the leaders of these States that have been asked to send military observers and peace-keeping contingents, to settle these matters in the shortest possible time. The United Nations has a chance to prove again its reputation as the chief peacemaking power on the planet, and this opportunity should not be wasted.

The President of the Russian Federation has welcomed the determination of the sides to stop hostilities. I should like to believe that this agreement will be a turning point in the relations of Georgia and Russia and thus will open up the way for the signing of the Georgian-Russian documents, which in their turn will help restore stability in the Caucasus and the Black Sea region. We want to live in peace and harmony with the peoples of Caucasus and the Black Sea area, and we are telling them: "The Caucasian mountain range does not divide, it rather unites us".

Our common responsibility for peace in Abkhazia requires that we should be highly vigilant. The agreement just signed has many enemies, and they do not conceal their intentions. This document was difficult to develop and even more difficult to sign. I have assumed the onus of responsibility, too heavy for one man, but, after all, it is not my fate that matters, at stake are the fates of the peoples I hold dear, the only ones capable of stopping the war.

May good will prevail!

DOCUMENT S/26223

Letter dated 29 July 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*2 August 1993*]

I should like to refer to Security Council resolutions 836 (1993) and 844 (1993) and my report of 14 June 1993 [*S/25939*].

Since the adoption of resolution 836 (1993) on 4 June 1993, I have received a number of offers in terms of both troops and equipment for the implementation of the resolution.

I have carefully considered the offers made, and, taking into account operational criteria, readiness for deployment and type of specialized skills and services needed, I have decided to pursue the offers made by France, Jordan, Malaysia, the Netherlands and Pakistan. Moreover, talks are continuing with some of the Nordic countries on their possible participation. It is my hope that these talks will come to a speedy conclusion.

As you know, France, Jordan and the Netherlands are already contributing troops to the United Nations Protection Force. Subject to the concurrence of the Council, I shall inform Malaysia and Pakistan that their offers have been accepted.

The offers mentioned above together with a possible Nordic contribution would be sufficient to meet the additional requirement of 7,600 troops authorized by the Council in its resolution 844 (1993). It should be noted, however, that I am in the process of finalizing agreements with a number of other countries with regard to some of the more specialized units mentioned in my report. I shall inform the Council of these additional contributions as soon as confirmation has been obtained.

I should like to avail myself of this opportunity to express my appreciation to those countries whose generous offers could not be considered in this instance.

With respect to the use of air power referred to in paragraph 10 of resolution 836 (1993), I have been informed by the North Atlantic

Treaty Organization that aircraft of its member States are operational and deployed. The related arrangements on the ground are progressing rapidly and will be finalized in the very near future.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26225

Letter dated 30 July 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*2 August 1993*]

I have the honour to refer to the United Nations Disengagement Observer Force (UNDOF).

I had reported to the Security Council that I was consulting Governments about the replacement of the Finnish infantry battalion, which will be withdrawn by the end of the year [*S/25809, para. 4*]. I have now accepted Poland's offer to provide the battalion. At the same time, the Polish logistic unit will be withdrawn and logistic support will be consolidated in the hands of the Canadian logistic unit, which will be slightly strengthened. Some logistic tasks will be assumed by the infantry battalions themselves. These changes will be made over the next several months in connection with the rotation of contingents.

UNDOF will thus comprise infantry battalions from Austria and Poland and a logistic unit from Canada. In addition, the military observers of the United Nations Truce Supervision Organization (UNTSO) will assist UNDOF as before. UNTSO's observers come from 19 countries.

I should be grateful if you would convey this information to the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26227

Letter dated 2 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*3 August 1993*]

I have the honour to present to you the attached letter dated 2 August 1993 written to the President of the Security Council from Mr. Ejup Ganic, Vice President, and Acting President of the Presidency of the Republic of Bosnia and Herzegovina.

I would be grateful if you could assist in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

ANNEX

Letter dated 2 August 1993 from the Acting President of Bosnia and Herzegovina to the President of the Security Council

Our sincere commitment to restore peace through negotiations in Geneva has not been equally met by the aggressor. Serbian forces continue to shell, and consequently kill, our civilian population in all regions within the Republic of Bosnia and Herzegovina. These outrages continue on a daily basis.

The Serbian army, with fresh forces from Serbia, has intensified an already heavy offensive on Mount Igman (within the "safe area" Sarajevo), as well as in the northern front near Brcko. This intensification occurred at a moment when it was expected that the offensive would cease, at least during the "peace" talks in Geneva.

The Council is well aware that there are many besieged places in Bosnia and Herzegovina, which are in fact nothing less than big concentration camps, and their inhabitants are exposed to all possible forms of humiliation and threats to life and health. The biggest one among them is Sarajevo, where 400,000 of its citizens are trying to survive under incredible hardships, being deprived of water and electricity. The population of Sarajevo is steadily being killed off, whether it be by disease facilitated by the Serbian interference in humanitarian aid, or by murder, committed by Serbian gunners in surrounding hills.

On behalf of our suffering citizens, I would like to take this opportunity to remind the Council that it is its obligation, and that it is bound, under resolutions 770 (1992) and 836 (1992), as well as the Charter which created the Council, to take concrete measures to save the civilian population from further killing, hardships and humiliation.

(*Signed*) Ejup GANIC
Acting President
of the Republic
of Bosnia and Herzegovina

DOCUMENT S/26228

Letter dated 2 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*3 August 1993*]

I have the honour to transmit to you the text of a statement by the Ministry of Foreign Affairs of the Azerbaijani Republic issued on 30 July 1993.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

From 21 to 23 July 1993, armed forces of the Republic of Armenia conducted a large-scale attack using a significant number of armoured vehicles and artillery, during which it seized and occupied the Agdam district of the Azerbaijani Republic. This treacherous act by the Armenian aggressor resulted in the death of approximately 200 civilians and the displacement of 160,000 peaceful inhabitants.

The occupation of the Agdam district, which followed loud assurances by the Republic of Armenia that adhered to the principles of the Charter of the United Nations and of the Conference on Security and Cooperation in Europe and to the peaceful settlement of the bloody conflict it had thrust upon Azerbaijan, ripped the mask of "peace-lover" from the face of the aggressor.

The leaders of the Azerbaijani Republic asked the Security Council to consider the situation and adopt all measures to restrain the aggressor and liberate the seized Azerbaijani territories.

The Security Council, in considering the request by Azerbaijan, promptly conducted appropriate consultations and, as a result, convened an urgent meeting on 29 July during which resolution 853 (1993) was adopted.

The Azerbaijani Republic is grateful to the Security Council and its members for reacting in a timely manner to the Azerbaijani appeal and for adopting resolution 853 (1993).

Azerbaijan hopes that the Security Council's rigorous insistence on a just and peaceful settlement of the conflict based on respect for the sovereignty and territorial integrity of the Azerbaijani Republic, the inviolability of internationally recognized borders and the inadmissibility of the use of force for the acquisition of territory will produce results.

The Azerbaijani Republic hopes that the demand for the unconditional withdrawal of occupying forces will deny the Armenian side the opportunity to repeat the tricks it used previously to impede the implementation of resolution 822 (1993) requiring that it withdraw its forces from the Kelbadjar district.

Azerbaijan considers the Security Council's appeal to the Government of the Republic of Armenia that it continue to exert influence over Armenians in the Nagorny Karabakh area of the Azerbaijani Republic to be a recognition of responsibility for the actions taken against the Azerbaijani Republic.

Gravely concerned by the massive illegal supply of weapons to the territory of Azerbaijan from the territory of the Republic of Armenia and the militarization of the occupied Azerbaijani territories, Azerbaijan properly appreciates the appeal to States to refrain from supplying weapons which might lead to an intensification of the conflict or the continued occupation of the territory. Azerbaijan has repeatedly stressed the absolute need to prevent the supply of weapons and personnel from the territory of Armenia by way of the Lachin and Kelbadjar districts, under occupation by Armenian troops, to the Nagorny Karabakh area of the Azerbaijani Republic.

Drawing the attention of the international community to the tragic fate of more than 500,000 displaced Azerbaijanis who are awaiting humanitarian aid and cooperation to enable them to return to their homes, Azerbaijan considers the points contained in resolution 853 (1993) to be of the utmost importance.

Alarmed by the critical situation in which 350,000 inhabitants of Nakhichevan found themselves as a result of the blockade by the Armenian Republic, Azerbaijan hopes that the Armenian side will comply with the Security Council's demand for the withdrawal of occupying forces from Azerbaijani territories and an end to the bloodshed, thereby laying the groundwork for a solution to this problem.

The Azerbaijani Republic has repeatedly expressed its willingness to find a peaceful solution to the conflict and expressed serious concern about the actions taken by Armenia which are undermining the peace efforts of the Conference on Security and Cooperation in Europe and the United Nations. Azerbaijan believes that the implementation of resolutions 822 (1993) and 853 (1993) should create conditions for the pursuit of negotiations as part of the Minsk process in order to reach a peaceful solution to the conflict between Armenia and Azerbaijan.

DOCUMENT S/26229

Letter dated 2 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*3 August 1993*]

I have the honour to inform you that, notwithstanding the adoption on 29 July 1993 of Security Council resolution 853 (1993), which condemns all hostile actions in the Azerbaijani region, in particular attacks on civilians and bombardments of inhabited areas, the Armenian armed forces are increasing their combat activity along the border with Azerbaijan.

On the night of 31 July, the frontier villages in Zangelan district, Azerbaijan, were subjected to artillery shelling from firing positions in Kafan district, Armenia.

For the fourth day running, Armenian artillery is continuing to shell frontier settlements in Kazakh district, Azerbaijan. On 31 July, it targeted the villages of Gaimagly and Tatly in Akstafa district, Azerbaijan, which are in close proximity to the Baku-Tbilisi highway.

On the night of 30 July, Armenian artillery shelled the town of Fizuli with howitzers. On 30 and 31 July, the Armenian army, using the Agdere-Agdam-Martuni highway, massed fighting equipment in the Fizuli-Agdam sector. The concentration of fighting equipment and personnel belonging to the Armenian armed forces in this sector shows that the capture of the town of Fizuli is their latest goal.

As regards the aforementioned developments, I request you to take appropriate measures to secure compliance by the Republic of Armenia with resolution 853 (1993).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26231

Letter dated 2 August 1993 from the representative of Egypt to the Secretary-General

[*Original: Arabic*]
[*3 August 1993*]

I have pleasure in transmitting to you herewith the statement made by the Egyptian Ministry of Foreign Affairs on 1 August 1993 concerning recent developments in the problem of Nagorny Karabakh.

I should be grateful if you would have the enclosed statement circulated as a document of the Security Council.

(*Signed*) Dawlat HASSAN
Chargée d'affaires a.i.
of the Permanent Mission of Egypt
to the United Nations

TEXT OF THE STATEMENT

Egypt has been following with close attention the agreement between the parties to the dispute concerning Nagorny Karabakh to implement the timetable for withdrawal from Kelbadjar and other occupied Azerbaijani areas in accordance with the initiative of the Minsk Group in pursuance of Security Council resolution 822 (1993).

Egypt has also been following the Armenian requests for deferral of the implementation of the timetable for withdrawal, which was scheduled to begin on 11 June 1993, and the subsequent persistent attempts on the part of the Armenian side to thwart such implementation, culminating in the renewed offensive on and seizure of the Azerbaijani city of Agdam. This runs counter to the moves directed towards securing peace and jeopardizes the efforts of the Minsk Group, whose Chairman made a statement which, *inter alia*, strongly condemns this offensive and assigns responsibility for the loss of life and bloodshed to those who encourage continued fighting and the seizure of additional Azerbaijani territory.

In the light of the Security Council's discussion of these dangerous developments and its adoption of resolution 853 (1993) thereon, the Government of the Arab Republic of Egypt, strongly condemning this renewed assault on and occupation of the Azerbaijani district of Agdam and viewing such action as another link in the chain of brazen and unjustified attacks on the sovereignty of Azerbaijan, demands a complete and unconditional withdrawal from the occupied Azerbaijani territory and full and immediate compliance with Security Council resolutions 822 (1993) and 853 (1993). This would allow for progress towards a settlement of the original dispute concerning Nagorny Karabakh in accordance with the provisions of international law which guarantee respect for the legitimate rights of minorities and for the unity and integrity of the territory of States.

DOCUMENT S/26232

Letter dated 3 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original English*]
[*3 August 1993*]

I have the honour to submit to you the attached letter, dated 3 August 1993, by the President of the Presidency of the Republic of Bosnia and Herzegovina, Mr. Alija Izetbegovic.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 3 AUGUST 1993 FROM THE PRESIDENT OF THE PRESIDENCY OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

The delegation of the Republic of Bosnia and Herzegovina is here in Geneva negotiating in good faith in order to seek a settlement in accordance with the Charter of the United Nations, the relevant Security Council resolutions and the principles of the London Conference. Despite the prior assurances we received from the United Nations and the European Community before coming here, we have just now received information that yesterday, the aggressor forces launched repeated attacks against the towns of Brcko, Maglaj, Tesanj, Olovo, and upon the mountains around the capital of our State, Sarajevo. In the town of Tesanj, the aggressors used ground to ground missiles of the Luna type, with devastating effect upon the civilian population. Moreover, the humanitarian situation for the civilian population living in these areas has deteriorated to subhuman conditions. There is no water, food or gas supplies for tens of thousands of human beings.

We wish to draw your attention that here at United Nations Headquarters in Geneva we are repeatedly confronted with diktats and ultimatums that we accept *faits accomplis* based upon the illegal use of force, war crimes, ethnic cleansing and genocide. This is in explicit violation of the Charter of the United Nations, the relevant Security Council resolutions, and the principles of the London Conference.

The recent initiatives by President Clinton and the North Atlantic Treaty Organization upholding the principles of the Charter and the London Conference have encouraged us to remain here despite all these difficulties. However, in the light of these recent developments, we are asking you to take urgent and necessary action to terminate and reverse these results of aggression and genocide for the purpose of promoting a settlement here in Geneva, and to alleviate the catastrophic suffering of our people at home. On our part, this is to inform you that the Presidency of the Republic of Bosnia and Herzegovina has today issued an order to our Armed Forces to use force strictly in self-defence.

(*Signed*) Alija IZETBEGOVIC

DOCUMENT S/26233

Letter dated 3 August 1993 from the Secretary-General to the President of the Security Council

[*Original English*]
[*3 August 1993*]

I have the honour to convey the attached report addressed to me on 2 August 1993 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia

INTRODUCTION

1. The Secretary-General reported to the Security Council on 8 July 1993 on the activities of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia [*S/26066*]. The present report contains information on the latest efforts of the Co-Chairmen to stop the conflict in Bosnia and Herzegovina, as well as on other activities of the Conference.

I. BOSNIA AND HERZEGOVINA

2. The Co-Chairmen have continued their search for a negotiated settlement to the conflict in Bosnia and Herzegovina. They have maintained contacts with the different sides to the conflict, seeking to serve as a channel of communication and to clarify ideas and proposals advanced by the parties during the discussions.

3. During their contacts with President Izetbegovic, Mr. Boban and Mr. Karadzic, as well as in related contacts with Presidents Milosevic, Bulatovic and Tudjman, the Co-Chairmen impressed upon them the urgency of

reconvening peace talks to strive for a negotiated and durable solution. As part of this process, the Co-Chairmen arranged for a meeting, held in Geneva on Saturday, 17 July 1993, between President Milosevic and President Tudjman.

4. Having regard to developments on the ground, especially the deteriorating humanitarian situation and the persistence of conflict, the Co-Chairmen invited the Bosnian sides, together with Presidents Milosevic, Bulatovic and Tudjman, to come to Geneva for talks on Friday, 23 July. The Co-Chairmen also appealed to the Bosnian leaders to order their forces to refrain from further hostilities and to help to alleviate the humanitarian situation, especially by assisting in the restoration of utilities in Sarajevo and in allowing access for humanitarian convoys.

5. Owing to the hostilities then taking place around Sarajevo, President Izetbegovic requested, and the Co-Chairmen agreed to, a postponement of the talks from Friday, 23 July to Sunday, 25 July. For similar reasons, a further deferral was made to Tuesday, 27 July, when all sides came to Geneva for peace talks. Seven other members of the Presidency of Bosnia and Herzegovina also attended, as did Presidents Milosevic, Bulatovic and Tudjman. Furthermore, President Izetbegovic brought with him five leaders of political parties, with whom the Co-Chairmen met and held discussions.

6. The peace talks began on 27 July and were continuing as at 2 August. The discussions concentrated on steps to secure a cease-fire and on ways and means of dealing with humanitarian issues, future constitutional arrangements, and the allocation of territory to the constituent entities.

A. *Cessation of hostilities and humanitarian issues*

7. Following discussions on 27, 28 and 29 July, President Izetbegovic, Mr. Karadzic and Mr. Boban agreed to issue immediate directives to their military commanders to implement a full cessation of hostilities. They further agreed that, in order to reinforce that directive, the commanders of the three military forces should meet immediately at Sarajevo Airport under the chairmanship of the United Nations. Furthermore, the commanders should meet each day while the talks continued so as to discuss the causes of any conflict and to correct the situation. The commanders were also requested to discuss whether any modifications were needed to the military agreements contained in the Vance-Owen peace plan [S/25221, *annex II*] that all three sides have reaffirmed.

8. The military commanders of the three sides met at Sarajevo Airport on 30 July under the auspices of the Force Commander of the United Nations Protection Force (UNPROFOR). At the end of their meeting that day, they signed an agreement providing that all forces of the three parties cease firing and freeze all military activities, including military movements, deployment of forces and establishment of fortifications. The agreement also provides for permitting free passage for UNPROFOR convoys and convoy escorts and free passage for humanitarian aid convoys. The text of the agreement signed is reproduced in appendix I to the present report.

B. *Constitutional Agreement*

9. During the discussions on constitutional issues, all sides submitted working papers, which were distributed and discussed. Taking these submissions into account and having regard to the issues raised in the discussions, a consolidated working paper was discussed and examined article by article, with all sides participating in an open and constructive manner.

10. After intensive discussion on a number of drafts submitted by the parties, with amendments submitted by all three parties, they agreed on 30 July to a Constitutional Agreement for a Union of Republics of Bosnia and Herzegovina to form part of an overall peace settlement. The text of the Constitutional Agreement is reproduced in appendix II to the present report.

C. *Access Authority*

11. The Co-Chairmen stressed the vital importance of ensuring freedom of movement throughout the country. They proposed establishing an Access Authority, as foreseen under the Vance-Owen peace plan, with throughways to ensure access in sensitive areas of the country after UNPROFOR withdraws. They also stressed that the "blue route" concept in the Agreement for Peace in the Vance-Owen peace plan would also be maintained and that would ensure, within a few days, access through Sarajevo city and the surrounding areas out to key cities.

12. The railway and road from Ploce to Doboj which, after it crosses the Croatian border, follows the route Mostar-Jablanica-Sarajevo-Zenica-Doboj, criss-crosses all three of the constituent republics. For this reason, the Co-Chairmen strongly felt that it should be run by the Access Authority. There would be guaranteed road access along the designated "blue routes" (Sarajevo-Ilidza-Hadzici-Tarcin-Jablanica-Mostar; Sarajevo-Rajlovac-Ilijas-Visoko-Zenica; Sarajevo-Benthbasa-Mokro-Sokolac-Vlasenica-Zvornik) as soon as UNPROFOR started to implement the military plan. This time interval while UNPROFOR was present in the country would allow a number of bypass roads to be constructed to give guaranteed access within the territory of each constituent republic.

D. *The map*

13. The Co-Chairmen's detailed discussions on the map started on 21 July. They are determined to ensure that the suggestion made during their earlier clarification talks that any Muslim-majority republic should have at least 30 per cent of the territory of Bosnia and Herzegovina and have guaranteed access to the Sava river and to the sea at Ploce should be fulfilled.

14. The discussions on the map are continuing.

II. CROATIA

15. Following the military actions of the Croatian armed forces in January 1993, the Security Council, by its resolution 802 (1993), ordered, among other things, that Croatian government forces be withdrawn from the areas within or adjacent to the United Nations protected areas. Since then, successive rounds of discussions have been organized within the framework of the International Conference, as well as under the auspices of UNPROFOR, to bring about compliance with resolution 802 (1993).

16. On 15-16 July, an agreement relevant to the implementation of that resolution was signed by Serb local authorities and by representatives of the Croatian Government. The Agreement followed contacts that the Co-Chairmen had had earlier with President Milosevic and President Tudjman, followed by discussions held in Zagreb and Erdut. The Agreement of 15-16 July provided that there would be no Croatian armed forces or police in the areas specified in the Agreement after 31 July 1993. UNPROFOR would move into those areas. In the villages of Islam Grcki, Smokovic and Kasic, Serb police together with United Nations Civilian Police (UNCIVPOL) would be present. With the withdrawal of the Croatian armed forces and police, according to the first paragraph of the Agreement, Maslenica bridge, Zemunik airport and Peruca dam would be under the exclusive control of UNPROFOR. The building of a pontoon bridge could proceed after the signature of the agreement by both sides. Both sides agreed to intensify their efforts to reach a negotiated solution to all problems existing between them, starting with a cease-fire agreement to be negotiated by UNPROFOR. The text of the Agreement is set out in appendix III to the present report.

17. Following the signature of the agreement, efforts continued to get the two sides to sign a cease-fire agreement. On 20 July 1993, Croatian and Serb delegations met in Vienna in a plenary session and reviewed a draft cease-fire agreement that had been produced by UNPROFOR. Initially the talks went well, with few significant differences between the parties. A military working group was established to examine in detail the areas involved and the exact lines of withdrawal. However, after both sides consulted their authorities, it emerged that the Croatian Government considered that the cease-fire agreement was not linked to the agreement of 15-16 July, while the Serbs insisted that the Croatian forces should withdraw in accordance with that agreement before they would sign any global cease-fire. Despite the best efforts of the negotiators, it proved impossible to find a formula to reconcile these positions, and on 22 July the talks were adjourned until further notice.

18. Subsequently, on 23 July the Croatian authorities signed a unilateral undertaking to the agreement of 15-16 July in order for UNPROFOR units to start deploying in the Zemunik/Maslenica area not later than 0900 hours on 26 July. UNPROFOR forces would assume control of the whole area by no later than 31 July. The other areas would be taken over by UNPROFOR after the signing of a formal cease-fire agreement. The undertaking further provided that, in the villages mentioned in the Agreement of 15-16 July, UNCIVPOL would be present together with five Serb policemen in each village, armed with side-arms only. Those policemen would be allowed to cross the present confrontation line and enter the villages on 1 August. The text of the undertaking is set out in appendix IV to the present report. The Serb local authorities rejected the undertaking, as not falling within the scope of the agreement of 15-16 July.

19. The crux of the problem has been that the Croatian Government has not yet withdrawn from the areas from which they promised to withdraw in the agreement of 15-16 July, while the Serbs repeatedly warned that, unless the agreement is complied with by 31 July, they would feel free to shell the Maslenica Bridge and surrounding areas.

20. Numerous contacts have been made with the Croatian authorities in Zagreb and the Co-Chairmen of the International Conference have had discussions on the matter with President Tudjman.

21. On 25 July the Deputy Force Commander of UNPROFOR obtained an undertaking from the Serb leadership to refrain from all armed hostilities until 31 July, in order to allow the Croatian armed forces and police to withdraw from the areas specified in the agreement of 15-16 July. The text of the undertaking is set out in appendix V to the present report.

22. Repeated efforts to get the Croatian authorities to comply with the 15-16 July agreement were unsuccessful and the Serbs continued to indicate that they would feel free to resume armed hostilities after 31 July.

23. On 30 July, Croatian Defence Minister Susak informed the Deputy Force Commander of UNPROFOR as follows:

(*a*) United Nations military observers can go into all areas specified in the agreement of 15-16 July;

(*b*) Armed troops can deploy into the area of the "blue zones", i.e. Maslenica Bridge, Zemunik Airport and Serbian villages;

(*c*) Discussions can continue after 31 July.

24. The Serb leadership considers that none of these proposals complied with the agreement of 15-16 July.

25. The Security Council considered this situation on 30 July. Having heard with deep concern a report from the Special Representative of the Secretary-General for the Former Yugoslavia, the Security Council demanded that the Croatian forces withdraw forthwith in conformity with the agreement of 15-16 July and that they permit the immediate deployment of UNPROFOR. The Council also demanded that the Krajina Serb forces refrain from entering the area. The Council called for maximum restraint from all the parties, including the observance of a cease-fire. The Council warned of the serious consequences of any failure to implement the agreement of 15-16 July.

26. Following the issuance of the statement [*S/26199*], the Co-Chairmen have been in contact with the parties and with others in a position to influence the situation so as to promote compliance with the decisions of the Security Council.

III. HUMANITARIAN ISSUES

27. Since the last report of the Secretary-General, Mrs. Sadako Ogata, United Nations High Commissioner for Refugees and Chairperson of the Humanitarian Issues Working Group, has maintained close contact with Governments of the region and with the Bosnian parties, through her Special Envoy and Chiefs of Missions. On 14 July she visited Sarajevo to express support to its besieged population and to re-emphasize to President Izetbegovic her commitment to continue humanitarian operations in Bosnia and Herzegovina, where possible.

28. On 16 July, Mrs. Ogata chaired a meeting of the Humanitarian Issues Working Group in Geneva, attended by senior representatives of all Governments of the region, of a large number of interested States, and of several intergovernmental and non-governmental organizations. The meeting was addressed by Mrs. Ogata, Mr. Stoltenberg, Lord Owen, Mr. Nakajima of the World Health Organization, President Sommaruga of the International Committee of the Red Cross and by senior representatives of the World Food Programme and the United Nations Children's Fund. Mrs. Ogata informed the meeting of the serious obstacles affecting the international relief effort, including the ongoing denial and obstruction of humanitarian access in many areas of Bosnia and Herzegovina, and attacks on and harassment of relief staff. She highlighted the intensification of war and persecution and the dire conditions of the population of Sarajevo, and of those populations trapped in many other areas, such as Srebrenica and Mostar and in central Bosnia. Warning that, under these conditions a humanitarian catastrophe would be unavoidable during the coming winter months, she called on all Bosnian parties to respect the humanitarian and impartial nature of the international relief effort and to ensure unimpeded and safe access.

29. A further serious obstacle Mrs. Ogata mentioned was the shortfall in funding for all United Nations agencies participating in the relief effort. The shortfall had already resulted in cutbacks in various support programmes, including in Croatia and Yugoslavia (Serbia and Montenegro), which were facing substantial and rising social and economic difficulties. Mrs. Ogata emphasized the need for continuous and increased burden-sharing with all regional countries of asylum, while calling on these and other States to continue to provide admission and proper treatment, under safe conditions, to persons in need of protection irrespective of their ethnic or religious origin.

30. Expressing concern about the difficulties faced by UNPROFOR and by the Office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations, the meeting reaffirmed its commitment to the international relief effort in the entire region. Many delegations expressed their willingness to participate in, or otherwise support, a UNHCR-proposed consortium to provide shelter to the increasing number of displaced persons, particularly in central Bosnia, and to undertake essential infrastructural repairs, where feasible. The continuing need to provide temporary protection was recognized, as well as the need to ease the burden of refugee-receiving States in the region. Financial pledges were made, totalling US$ 126 million, of which $63 million were for UNHCR's programme for the former Yugoslavia. While these pledges are encouraging, they will unfortunately not permit UNHCR and other humanitarian organizations to sustain the international relief effort for former Yugoslavia beyond October 1993. Moreover, while the number of people dependent on external assistance is rising daily, parties to the conflict in Bosnia and Herzegovina are rendering it increasingly difficult to reach the victims and to ease their plight.

IV. ARBITRATION COMMISSION

31. As the Secretary-General reported earlier to the Security Council [*S/25708, para. 19*], the Working Group on Succession Issues had submitted to the Arbitration Commission six legal questions for its opinion. On 16 July, the Commission issued three advisory opinions, giving its views on four of the questions. These opinions are reproduced in appendix VI to the present report. The Commission also indicated that it would give responses relating to the other two questions shortly.

V. CONCLUDING OBSERVATIONS

32. During the latest round of peace talks on Bosnia and Herzegovina, unprecedented positive steps have been registered:

(*a*) The leadership of the three sides negotiated for the first time intensively, cordially and in a constructive manner for seven days continuously, and continues to do so;

(*b*) All three sides agreed to a constitutional framework for Bosnia and Herzegovina on 30 July;

(*c*) The political leadership of the three sides directed their military commanders to observe a cease-fire and an agreement to that effect was signed by the military commanders on 30 July;

(*d*) Fighting in Bosnia and Herzegovina has been decreasing greatly while the talks are on;

(*e*) Electricity and water are again available in Sarajevo, although there are still technical problems; the gas pipeline has now been turned on by the Hungarian authorities;

(*f*) Humanitarian convoys are getting through; the current success rate is 80 per cent;

(*g*) The delimitation of constituent parts of the State of Bosnia and Herzegovina has been taking shape and every effort is being made to see to it that the areas allocated to the Muslim-majority Republic, which contain most of the wealth and the industrial base of the country, should not be less than 30 per cent of the overall territory.

APPENDIX I

***Agreement for a complete cessation of all combat activities* among the parties in conflict of 30 July 1993**

THE UNDERSIGNED MILITARY COMMANDERS, as representatives of their respective Parties in conflict, Respecting the recent decisions of their commanders-in-chief in Geneva, made under the auspices of the International Conference on the Former Yugoslavia,

Mindful of their obligations under relevant Security Council resolutions, including to ensure UNPROFOR's safety and freedom of movement,

Recognizing the absolute urgency of the present situation and pledging their full efforts to see that this agreement is honoured,

HAVE AGREED as follows:

Article I

CESSATION OF ALL COMBAT ACTIVITIES

1. Beginning upon signature of this agreement, all forces of the three Parties shall cease firing and shall freeze all military activities, including military movements, deployments of forces and establishment of fortifications.

2. Written orders mandating such cessation of combat activities shall be issued, as soon as possible following signature of this agreement, by each of the undersigned military commanders.

Article II

HUMANITARIAN AID AND FREEDOM OF MOVEMENT

Written orders shall be issued by the undersigned military commanders, as soon as possible following signature of this agreement, permitting:

(*a*) Free passage for UNPROFOR;

(*b*) Free passage for UNPROFOR convoys and convoy escorts, subject to routine control of numbers of personnel and weapons entering and leaving the territory under the control of a Party;

(*c*) Free passage for humanitarian aid convoys, subject to reasonable control of the contents and personnel that are part of the convoy at one checkpoint.

UNPROFOR acknowledges that each Party has legitimate concerns over movements within territories under its control. UNPROFOR shall provide notification of convoy movements.

Article III

VERIFICATION OF COMPLIANCE WITH THIS AGREEMENT

1. The undersigned military commanders shall confirm to UNPROFOR the issuance of orders required by this agreement, and their acknowledgment by subordinate commanders. Full assistance shall be extended to UNPROFOR to permit it to monitor the implementation of this agreement. UNPROFOR officers in the field may be consulted to provide assistance in implementation of this agreement.

2. The undersigned military commanders, or their authorized representatives, shall continue to meet daily at a specified time while their commanders-in-chief are meeting in Geneva or, when necessary, on the request of any of the Parties. In accordance with the recommendation made in Geneva by the commanders-in-chief of the Parties, the draft "Military Agreement on the Cessation of Hostilities" shall be discussed, among other issues.

3. For urgent matters, the military commanders shall make available, through reliable communications on a 24-hour-a-day basis, a representative who is authorized to take decisions or reach those with such authority.

THIS AGREEMENT, done pursuant to the decisions of the commanders-in-chief of the Parties in Geneva, shall enter into force upon its signature.

DONE at Sarajevo Airport, on the 30th day of July 1993, in two versions, one in English and the other in the language of the Parties. Where there are differences of interpretation between the versions, the English version shall control.

(*Signed*) General Rasim DELIC

(*Signed*) Lieutenant-General Ratko MLADIC

(*Signed*) General Milivoj PETKOVIC

UNPROFOR WITNESSES

(*Signed*) General Jean COT Force Commander

(*Signed*) Lieutenant-General Francis BRIQUEMONT Commander
Bosnia and Herzegovina

APPENDIX II

Constitutional agreement of the Union of Republics of Bosnia and Herzegovina

I. THE UNION OF REPUBLICS OF BOSNIA AND HERZEGOVINA

Article 1

The Union of Republics of Bosnia and Herzegovina is composed of three Constituent Republics and encompasses three constituent peoples: the Muslims, Serbs and Croats, as well as a group of other peoples. The Union of Republics of Bosnia and Herzegovina will be a State Member of the United Nations, and as a Member State it shall apply for membership in other organizations of the United Nations system.

Article 2

The flag and emblem of the Union of Republics of Bosnia and Herzegovina shall be specified by a law adopted by the Union Parliament.

Article 3

(*a*) Citizenship of Bosnia and Herzegovina shall be determined by a law adopted by the Union Parliament.

(*b*) Every person who on the entry into force of this Constitutional Agreement was entitled to be a citizen of the Republic of Bosnia and Herzegovina shall be entitled to be a citizen of a Constituent Republic as well as of the Union of Republics of Bosnia and Herzegovina.

(*c*) Dual citizenship shall be allowed.

(*d*) Decisions about citizenship shall be made by the designated organs of the Constituent Republics, subject to appeal to the competent courts.

Article 4

Neither the Union of Republics of Bosnia and Herzegovina nor any of the Constituent Republics shall maintain any military force, and any forces existing on the date of the entry into force of this Constitutional Agreement shall be progressively disarmed and disbanded under the supervision of the United Nations and the European Community.

II. CONSTITUENT REPUBLICS AND THEIR RESPONSIBILITIES

Article 1

(*a*) The boundaries of the Constituent Republics shall be as set out in annex A, part I. Except as provided in paragraph (b) below, the boundaries of the Republics may be changed only by the procedure provided for amending this Constitutional Agreement.

(*b*) Marginal changes in the boundaries set out in annex A may be made by the Presidency on the recommendation of a Boundary Commission, which shall receive evidence from those specifically affected by them. The Commission shall consist of five persons appointed by the Secretary-General of the United Nations, of whom three shall be persons recommended by representatives of the three constituent peoples.

(*c*) The areas specified in annex A, part II, even though within the territory and under the jurisdiction of a Constituent Republic, shall be vested in the Union of Republics of Bosnia and Herzegovina, for the purpose of ensuring access by all citizens to buildings of the Union in Sarajevo, to the sea at Neum and to the Sava River.

(*d*) There shall be no border controls on boundaries between the Constituent Republics, and there shall be free movement of persons, goods and services throughout the territory of the Union of Republics of Bosnia and Herzegovina.

Article 2

(*a*) Each of the Constituent Republics shall adopt its own Constitution, which shall provide for democratic forms of government, including democratically elected legislatures and chief executives and independent judiciaries, as well as for the highest standards of human rights and fundamental freedoms. No provision of these Constitutions may be inconsistent with this Constitutional Agreement.

(*b*) The initial elections in each Constituent Republic shall be supervised by the United Nations and by the European Community.

Article 3

All governmental functions and powers, except those assigned by this Constitutional Agreement to the Union of Republics of Bosnia and Herzegovina or to any of its institutions, shall be those of the Constituent Republics.

Article 4

All acts taken by a competent governmental authority of any of the Constituent Republics shall be accepted as valid by the other Constituent Republics.

III. COMMON INSTITUTIONS OF THE UNION OF REPUBLICS OF BOSNIA AND HERZEGOVINA

Article 1

(*a*) The Presidency of the Union of Republics of Bosnia and Herzegovina shall consist of the President, or of an appointee of the legislature, of each of the Constituent Republics.

(*b*) The Chairmanship of the Presidency shall rotate every four months among the members of the Presidency. The Chairman of the Presidency shall represent the Union of Republics of Bosnia and Herzegovina.

(*c*) The Presidency shall take all its decisions by consensus.

Article 2

(*a*) The head of the Council of Ministers of the Union of Republics of Bosnia and Herzegovina shall be the Prime Minister, who shall be appointed and may be removed by the Presidency. The post shall rotate every year so as to be occupied in turn by the nominee of the President of a different Constituent Republic.

(*b*) The Presidency shall also appoint and may remove a Foreign Minister. The post shall rotate every year so as to be occupied in turn by the nominee of the president of a different Constituent Republic.

(*c*) The Prime Minister and the Foreign Minister shall be from different Constituent Republics.

(*d*) Other Ministers may be appointed by the Presidency. They and the Prime Minister and the Foreign Minister shall constitute the Council of Ministers, with responsibility for the policies of the Union of Republics of Bosnia and Herzegovina in relation to foreign affairs, international trade and the functioning of the common institutions, as well as any other functions and institutions that the Union Parliament may from time to time specify by law.

Article 3

(*a*) The Parliament of the Union of Republics of Bosnia and Herzegovina shall be composed of 120 representatives, one third each to be elected by the respective legislatures of the Constituent Republics.

(*b*) The Union Parliament may by a simple majority of the members from each Constituent Republic adopt laws within the competence of the Union of Republics of Bosnia and Herzegovina.

Article 4

The Union of Republics of Bosnia and Herzegovina shall have the following courts:

(i) A Supreme Court, composed of four judges appointed by the Presidency, no two of whom shall be from the same peoples, which, except as specified in subparagraph (iii) below, shall be the final court of appeals from the courts of the Constituent Republics.

(ii) A Constitutional Court, composed of three judges appointed by the Presidency, no two of whom shall be from the same Constituent Republic, which shall be competent to resolve by consensus disputes among the Constituent Republics, between any of these and the Union of Republics of Bosnia and Herzegovina or any of its common institutions, and among any of these institutions. Should the Court not be constituted or be unable to resolve a dispute, it shall be referred for a binding decision by a standing arbitral tribunal composed of judges of the International Court of Justice or members of the Permanent Court of Arbitration, one each of whom shall be selected by the President of each of the Constituent Republics and two of whom shall be selected by the Presidency or, if it is unable to do so, by the Secretary-General of the United Nations and by the President of the Council of Ministers of the European Community.

(iii) A Court of Human Rights to be established in accordance with resolution 93 (6) of the Committee of Ministers of the Council of Europe, whose precise composition and competence shall be as set out in the agreed annex B.

Article 5

Joint authorities between two or more of the Constituent Republics may be established by agreement of the Republics concerned if approved by a law adopted by the Union Parliament.

IV. INTERNATIONAL RELATIONS

Article 1

(*a*) The Union of Republics of Bosnia and Herzegovina shall apply for membership of European and international institutions and organizations, as decided by the Presidency.

(*b*) Any Constituent Republic may apply for membership of an international organizations if such membership would not be inconsistent with the interests of the Union of Republics of Bosnia and Herzegovina or of either of the other Constituent Republics.

Article 2

(*a*) The Union of Republics of Bosnia and Herzegovina shall remain a party to all international treaties in force for the Republic of Bosnia and Herzegovina on the date of the entry into force of this Constitutional Agreement, unless the Union Parliament decides that steps to denounce any such treaty shall be taken. However, treaties entered into after 18 November 1990 shall be considered by the Union Parliament within a period of three months from the entry into force of this Constitutional Agreement and shall remain in force only if the Union Parliament so decides.

(*b*) The Union of Republics of Bosnia and Herzegovina shall continue all diplomatic relations until the Presidency decides to continue or discontinue them.

(*c*) The Union of Republics of Bosnia and Herzegovina may become a party to international treaties if such participation is approved by the Union Parliament. The Parliament may by law provide for participation in certain types of international agreements by decision of the Presidency. To the extent such participation would involve responsibilities that are to be carried out by the Constituent Republics, their advance approval must be secured, except in respect of the treaties referred to in chapter V, article 3, below.

(*d*) Any Constituent Republic may, if eligible, become a party to an international treaty if such participation would not be inconsistent with the interests of the Union of Republics of Bosnia and Herzegovina or of either of the other Constituent Republics.

V. HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Article 1

(*a*) Subject to article 2 below, all persons within the territory of the Union of Republics of Bosnia and Herzegovina shall be entitled to enjoy the rights and freedoms provided for in the instruments listed in annex C.

(*b*) Should there be any discrepancy between the rights and freedoms specified in any of these instruments, or between any of these and the rights and freedoms specified in any other legal provisions in force, the provision providing the greater protection for human rights and fundamental freedoms shall be applied.

Article 2

All courts, administrative agencies and other governmental organs of the Union of Republics of Bosnia and Herzegovina and of the Constituent Republics shall apply and conform to the rights and freedoms specified in the instruments listed in parts I and IV of annex C. The rights specified in the instruments listed in parts II and III of annex C shall be considered as aspirations to be attained as rapidly as possible; all legislative, judicial, administrative and other governmental organs of the Union and Republic Governments shall take these rights appropriately into account in promulgating, executing and interpreting any legislative provisions designed to or otherwise suitable for implementing such rights and in otherwise carrying out the functions of these organs.

Article 3

The Union of Republics of Bosnia and Herzegovina shall as soon as possible become a party to each of the international treaties listed in annex C.

Article 4

All organs of the Union and Republic Governments shall cooperate with the supervisory bodies established by any of the instruments listed in annex C, as well as with the International Human Rights Monitoring Mission for Bosnia and Herzegovina established by the United Nations.

Article 5

(*a*) All citizens shall have the right to settle in any part of the territory of the Union of Republics of Bosnia and Herzegovina. They shall have the right to have restored to them any property of which they were deprived in the course of ethnic cleansing and to be compensated for any property which cannot be restored to them.

(*b*) The Union Parliament, as well as the legislatures of the Constituent Republics, shall enact laws to assist in implementing these rights.

Article 6

To assist in implementing the rights and freedoms specified in this chapter and in particular in article 5 (a) above, ombudsmen shall be appointed and carry out functions initially as specified in annex D and thereafter as specified in a law adopted by the Union Parliament.

VI. FINANCES

Article 1

(*a*) The Union Parliament shall each year, on the proposal of the Prime Minister and with the subsequent approval of the Presidency, adopt a budget covering the expenditures required to carry out only those functions of the Union of Republics of Bosnia and Herzegovina relating to the maintenance of its common institutions and compliance with its international obligations, as well as such other functions as may from time to time be agreed by the Union Parliament.

(*b*) If no such budget is adopted in due course, the budget for the previous year shall be used on a provisional basis.

Article 2

(*a*) The expenditures provided for in the budget shall, except to the extent that other revenues are available or as otherwise specified in a law adopted by the Union Parliament, be covered in equal part by each of the Constituent Republics.

(*b*) Other sources of revenues, such as custom duties, fees for services or taxes on specified activities, may be determined by law.

VII. THE CONSTITUTIONAL AGREEMENT

Article 1

(*a*) This Constitutional Agreement may be amended by decision of the Union Parliament, when such amendment has been approved by each of the Constituent Republics according to its constitutional processes.

(*b*) No amendment may be adopted that abolishes or diminishes any of the rights or freedoms specified in chapter V.

Article 2

(*a*) This Constitutional Agreement may not be abolished and none of the Constituent Republics may withdraw from the Union of Republics of Bosnia and Herzegovina without the prior agreement of all of the Republics. Such a decision may be appealed to the Security Council by any of the constituent Republics, and the Council's decision shall be final.

(*b*) Should any of the Constituent Republics withdraw from the Union of Republics of Bosnia and Herzegovina, the areas specified in annex A, part II, that are within the territory of such Republic shall remain a part of the Union of Republics of Bosnia and Herzegovina.

Article 3

This Constitutional Agreement shall enter into force when approved as part of the overall peace settlement by representatives of the three constituent peoples, and on a date specified by them.

LIST OF ANNEXES

A. (See art. II.1 (*a*) and (*c*)) Part I. Boundaries of the constituent Republics. Part II. Areas vested in the Union of Republics of Bosnia and Herzegovina.

B. (See art. III.4 (iii)) Composition and competence of the Human Rights Court.

C. (See art. V.1 (*a*)) List of human rights instruments.

D. (See art. V.6) Initial appointment and functions of the Ombudsmen.

APPENDIX III

Agreement

1. There will be no Croatian armed forces or police in the areas specified on the attached map after 31 July 1993.

2. UNPROFOR shall move into the areas specified on the attached map.

3. In the villages of Islam Grcki, Smokovic and Kasic, Serb police together with UNCIVPOL will be present; the number of Serb police shall be agreed with UNPROFOR.

4. With the withdrawal of the Croatian armed forces and police according to paragraph 1 above, Maslenica Bridge, Zemunik Airport and Peruca Dam shall be under the exclusive control of UNPROFOR. The building of the pontoon bridge may proceed after the signature of this agreement by both sides.

5. Both sides agree to intensify their efforts to reach a negotiated solution to all problems existing between them, starting with a cease-fire agreement to be negotiated by UNPROFOR.

For the Krajina authorities	For the Government of Croatia
(*Signed*) S. JARCEVIC 15 July 1993	(*Signed*) Ivica MUDRINIC 16 July 1993

Witnessed, on behalf of the International Conference on the Former Yugoslavia, by

(*Signed*) K. VOLLEBAEK	(*Signed*) K. VOLLEBAEK
(*Signed*) G. AHRENS	(*Signed*) General EIDE

APPENDIX IV

Complementary agreement, dated 23 July 1993, to the agreement of 15-16 July 1993

The areas mentioned in the agreement of 15-16 July 1993 will be under the control of UNPROFOR. UNPROFOR units will start to deploy in the Zemunik-Maslenica area not later than 0900 hours on 26 July 1993. UNPROFOR forces will assume control of the whole area by no later than 31 July 1993. The other areas will be taken over by UNPROFOR after the signing of a formal cease-fire agreement.

In the villages mentioned in the agreement of 15-16 July 1993, UNCIVPOL will be present together with five Serb policemen in each village, armed with side-arms only. Those policemen will be allowed to cross the present confrontation line and enter the villages on 1 August 1993.

For the Government of Croatia

(*Signed*) Slavko DEGORICIJA	(*Signed*) General STIPETIC

Witnessed, on behalf of UNPROFOR, by

(*Signed*) General EIDE	(*Signed*) General COT

APPENDIX V[*]

Serbian Republic of Krajina

1. In order to implement paragraph 1 of the Erdut agreement, i.e. to enable the unobstructed withdrawal of Croatian forces from the area indicated in the map annexed to the Erdut agreement, the Serbian Army of Krajina has ceased all armed hostilities since 18 July 1993. We strongly commit ourselves to refrain from all armed hostilities until 31 July 1993.

2. For the purpose of controlling the cessation of armed hostilities in this period, we are inviting the UNPROFOR Command to deploy urgently its forces and observers along the whole of the confrontation line, as has been agreed between the Serbian Army of Krajina and UNPROFOR.

3. We comply with UNPROFOR's request that, in compliance with the spirit of the Erdut agreement, their forces be deployed in the areas from which the Croatian forces will withdraw, on condition that we are previously given assurance by the UNPROFOR Command that they will withdraw from these areas until 2400 hours on 31 July 1993 if until then the Croatian side does not fully implement the agreement of 15 and 16 July 1993, in other words, if the Croatian side does not withdraw from all the areas indicated on the map annexed to the Erdut agreement.

4. We accept UNPROFOR's obligation to inform us on time on the plan of deployment of UNPROFOR forces in the specified areas.

5. We express our readiness to agree with the other side on the lasting cease-fire and restoration of peace after the Erdut agreement has been implemented.

Dorde BJEGOVIC
Prime Minister
[*Signed on original Serbian version*]

APPENDIX VI

[*Original: French*]

LETTER DATED 26 JULY 1993 FROM THE CHAIRMAN OF THE ARBITRATION COMMISSION OF THE INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA ADDRESSED TO THE CO-CHAIRMEN OF THE STEERING COMMITTEE OF THE INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA

In response to the letter dated 20 April 1993, the Arbitration Commission of the International Conference on the Former Yugoslavia on 16 July 1993 issued three opinions relating to questions nos. 2, 3, 4 and 6.

Attached hereto are the texts of opinions Nos. 11, 12 and 13 in their original language, French, as well as in an unofficial English translation.

In accordance with the possibility provided to it under article 7.5 of the rules of procedure of 26 April 1993, the Arbitration Commission has deferred consideration of questions Nos. 1 and 5 for one month.

(*Signed*) Robert BADINTER

ENCLOSURE

A. *Opinion no. 11*

On 20 April 1993, the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia referred six questions to the Chairman of the Arbitration Commission, seeking the Commission's opinion [*S/25708, para. 19*].

Question no. 2 was:

> "On what date(s) did succession of States occur for the various States that have emerged from the Socialist Federal Republic of Yugoslavia?"

On 12 May 1993, the Co-Chairmen of the Steering Committee of the International Conference transmitted to the Chairman of the Commission a declaration by the Government of the Federal Republic of Yugoslavia raising a number of objections to the reference to the Commission. The members of the Commission unanimously adopted a document reacting to the assertions made by the Federal Republic of Yugoslavia; this was addressed to the Co-Chairmen of the Steering Committee of the International Conference on 26 May. None of the States parties to the proceedings has contested the Commission's right to answer questions referred to it.

The Commission has taken cognizance of the memorandum, observations and other materials communicated by the Republic of Bosnia and Herzegovina, the Republic of Croatia, the former Yugoslav Republic of Macedonia and the Republic of Slovenia, which have been passed on to all the successor States of the Socialist Federal Republic of Yugoslavia. The Federal Republic of Yugoslavia has submitted no memorandum or observations on the questions referred.

1. In accordance with the generally accepted definition contained in article 2 of the 1978 and 1983 Vienna Conventions on the Succession of States, "'date of the succession of States' means the date upon which the successor State replaced the predecessor State in the responsibility for the international relations of the territory to which the succession of States relates".

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[*] Reproduction of this appendix does not imply any official endorsement by the United Nations.

2. In the case in point there is a particular problem arising from the circumstances in which State succession occurred:

- First, the predecessor State, the Socialist Federal Republic of Yugoslavia, has ceased to exist and, as the Commission found in its opinion no. 9, none of the successor States can claim to be the sole continuing State.

- Second, the demise of the Socialist Federal Republic of Yugoslavia, unlike that of other recently dissolved States (USSR, Czechoslovakia), resulted not from an agreement between the parties but from a process of disintegration that lasted some time, starting, in the Commission's view, on 29 November 1991, when the Commission issued opinion No. 1, and ending on 4 July 1992, when it issued opinion no. 8.

3. However, while these circumstances need to be taken into account in determining the legal arrangements applying to State succession (see articles 18, 31 and 41 of the Vienna Convention of 8 April 1983 on Succession of States in respect of State Property, Archives and Debts), they are immaterial in determining the date of State succession, which, as the Commission indicated in paragraph 1 above, is the date upon which each successor State replaced the predecessor State. Since, in the case in point, the successor States of the Socialist Federal Republic of Yugoslavia are new States, and since they became independent on different dates, the relevant date is, for each of them, that on which they became States.

As the Commission indicated in opinion no. 1, this is a question of fact that is to be assessed in each case in the light of the circumstances in which each of the States concerned was created.

4. The issue is the same as regards the Republics of Croatia and Slovenia, both of which declared their independence on 25 June 1991 and suspended their declarations of independence for three months on 7 July 1991, as provided by the Brioni declaration. In accordance with the declaration, the suspension ceased to have effect on 8 October 1991. Only then did these two Republics definitively break all links with the organs of the Socialist Federal Republic of Yugoslavia and become sovereign States in international law. For them, then, 8 October 1991 is the date of State succession.

5. Macedonia asserted its right to independence on 25 January 1991, but it did not declare its independence until after the referendum held on 8 September 1991, the consequences of which were drawn in the Constitution adopted on 17 November 1991, effective on the same day. That is the date on which the Republic of Macedonia became a sovereign State, having no institutional link with the Socialist Federal Republic of Yugoslavia. So 17 November 1991 is the date of State succession as regards Macedonia.

6. In opinion no. 4, issued on 11 January 1992, the Arbitration Commission came to the view that "the will of the peoples of Bosnia-Herzegovina to constitute the Socialist Republic of Bosnia-Herzegovina as a sovereign and independent State [could] not be held to have been fully established". Since then, in a referendum held on 29 February and 1 March 1992, the majority of the people of the Republic have expressed themselves in favour of a sovereign and independent Bosnia. The result of the referendum was officially promulgated on 6 March, and since that date, notwithstanding the dramatic events that have occurred in Bosnia and Herzegovina, the constitutional authorities of the Republic have acted like those of a sovereign State in order to maintain its territorial integrity and their full and exclusive powers. So 6 March 1992 must be considered the date on which Bosnia and Herzegovina succeeded the Socialist Federal Republic of Yugoslavia.

7. There are particular problems in determining the date of State succession in respect of the Federal Republic of Yugoslavia because that State considers itself to be the continuation of the Socialist Federal Republic of Yugoslavia rather than a successor State.

As has been affirmed by all international agencies which have had to state their views on this issue, and as the Commission itself has indicated more than once, this is not a position that can be upheld.

The Commission opines that 27 April 1992 must be considered the date of State succession in respect of the Federal Republic of Yugoslavia because that was the date on which Montenegro and Serbia adopted the Constitution of the new entity and because the relevant international agencies then began to refer to "the former Socialist Federal Republic of Yugoslavia", affirming that the process of dissolution of the Socialist Federal Republic of Yugoslavia had been completed.

8. The Arbitration Commission is aware of the practical problems that might ensue from determining more than one date of State succession because of the long-drawn-out process whereby the Socialist Federal Republic of Yugoslavia was dissolved. One implication is that different dates would apply for the transfer of State property, archives and debts, and of other rights and interests, to the several successor States of the Socialist Federal Republic of Yugoslavia.

9. The Commission would point out, however, that the principles and rules of international law in general relating to State succession are supplemental, and that States are at liberty to resolve the difficulties that might ensue from applying them by entering into agreements that would permit an equitable outcome.

10. The Arbitration Commission consequently takes the view:

- That the dates upon which the States stemming from the Socialist Federal Republic of Yugoslavia succeeded the Socialist Federal Republic of Yugoslavia are:
  - 8 October 1991 in the case of the Republic of Croatia and the Republic of Slovenia;
  - 17 November 1991 in the case of the former Yugoslav Republic of Macedonia;
  - 6 March 1992 in the case of the Republic of Bosnia and Herzegovina;
  - 27 April 1992 in the case of the Federal Republic of Yugoslavia (Serbia-Montenegro).
- That, unless the States concerned agree otherwise, these are the dates upon which State property, assets and miscellaneous rights, archives, debts and various obligations of the former Socialist Federal Republic of Yugoslavia pass to the successor States.

Paris, 16 July 1993

B *Opinion no. 12*

On 20 April 1993, the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia referred six questions to the Chairman of the Arbitration Commission, seeking the Commission's opinion [*S/25708, para 19*].

Question no. 3 was:

> "(*a*) What legal principles apply to the division of State property, archives and debts of the Socialist Federal Republic of Yugoslavia in connection with the succession of States when one or more of the parties concerned refuse(s) to cooperate?
>
> "(*b*) In particular, what should happen to property
>
> - not located on the territory of any of the States concerned, or
> - situated on the territory of the States taking part in the negotiations?"

Question no. 6 was:

> "(*a*) On what conditions can States, within whose jurisdiction property formerly belonging to the Socialist Federal Republic of Yugoslavia is situated, block the free disposal of that property or take other protective measures?
>
> "(*b*) On what conditions and under what circumstances would such States be required to take such steps?"

The Commission considers that these two questions form an entity and should be answered in one and the same opinion.

On 12 May 1993, the Co-Chairmen of the Steering Committee of the International Conference transmitted to the Chairman of the Commission a declaration by the Government of the Federal Republic of Yugoslavia raising a number of objections to the reference to the Commission. The members of the Commission unanimously adopted a document reacting to the assertions made by the Federal Republic of Yugoslavia, this was addressed to the Co-Chairmen of the Steering Committee of the International Conference on 26 May. None of the States parties to the proceedings has contested the Commission's right to answer questions referred to it.

The Commission has taken cognizance of the memorandum, observations and other materials communicated by the Republic of Bosnia and Herzegovina, the Republic of Croatia, the former Yugoslav Republic of Macedonia and the Republic of Slovenia, which have been passed on to all the successor States of the Socialist Federal Republic of Yugoslavia. The Federal Republic of Yugoslavia has submitted no memorandum or observations on the questions referred.

1. In its opinion no. 9, the Arbitration Commission recalled the few well-established principles of international law applicable to State succession. The fundamental rule is that States must achieve an equitable result by negotiation and agreement. The principle is applicable to the distribution of the State property, archives and debts of the Socialist Federal Republic of Yugoslavia.

2. If one or more of the parties concerned refused to cooperate, it would be in breach of that fundamental obligation and would be liable internationally, with all the legal consequences this entails, notably the possibility for States sustaining loss to take non-forcible countermeasures, in accordance with international law.

3. It follows from the principle formulated above that the other States concerned must consult with each other and achieve, by agreement between them, a comprehensive equitable result reserving the rights of the State or States refusing to cooperate.

Such an agreement is *res inter alios acta* in relation to third States, be they States refusing to cooperate or other States. In accordance with the established principle of international law enshrined in article 34 of the Vienna Convention on the Law of Treaties, whereby "a treaty does not create either obligations or rights for a third State without its consent", third States in whose territory property covered by State succession is situated are not required to take action in pursuance of such agreements.

However, such third States may, in the exercise of their sovereignty, give effect to them if they satisfy the conditions set out in paragraph 1 above.

4. Even in the absence of such agreements, third States may take such interim measures of protection as are needed to safeguard the interests of the successor States by virtue of the principles applicable to State succession.

5. Third States would be required so to do if an international agency with powers in the matter took decisions that were binding on States within whose jurisdiction property having belonged to the former Socialist Federal Republic of Yugoslavia was situated.

6. The Arbitration Commission consequently takes the view that:

- Refusal by one or more successor States to cooperate in no way alters the principles applicable to State succession as set out in opinion no. 9;

- Other States concerned may conclude one or more agreements conforming to those principles in order to secure the equitable distribution of the State property, archives and debts of the Socialist Federal Republic of Yugoslavia;

- Such agreements would not be binding on States which were not party to them, nor on other States in whose territory property having belonged to the Socialist Federal Republic of Yugoslavia was situated;

- However, this answer is without prejudice to the right of successor States sustaining loss by virtue of the refusal of one or more of the parties concerned to cooperate, to take countermeasures in accordance with international law, to the right of third States to take the necessary safeguard measures to protect the successor States and to such obligations as might be incumbent on third States to give effect to decisions taken by an international agency having powers in the matter.

Paris, 16 July 1993

C. *Opinion no. 13*

On 20 April 1993, the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia referred six questions to the Chairman of the Arbitration Commission, seeking the Commission's opinion [*S/25708, para 19*].

Question no. 4 was:

> "Under the legal principles that apply, might any amounts owed by one or more parties in the form of war damages affect the distribution of State property, archives and debts in connection with the succession process?"

On 12 May 1993, the Co-Chairmen of the Steering Committee of the International Conference transmitted to the Chairman of the Commission a declaration by the Government of the Federal Republic of Yugoslavia raising a number of objections to the reference to the Commission. The members of the Commission unanimously adopted a document reacting to the assertions made by the Federal Republic of Yugoslavia, this was addressed to the Co-Chairmen of the International Conference on 26 May. None of the States parties to the proceedings has contested the Commission's right to answer questions referred to it.

The Commission has taken cognizance of the memorandum, observations and other materials communicated by the Republic of Bosnia and Herzegovina, the Republic of Croatia, the former Yugoslav Republic of Macedonia and the Republic of Slovenia, which have been passed on to all the successor States of the Socialist Federal Republic of Yugoslavia. The Federal Republic of Yugoslavia has submitted no memorandum or observations on the questions referred.

1. In opinion no. 9 the Arbitration Commission appreciates that there are few well-established principles of international law that apply to State succession. Application of these principles is largely to be determined case by case, depending on the circumstances proper to each form of succession, although the 1978 and 1983 Vienna Conventions do offer some guidance.

2. The Commission would point out in particular that articles 18, 31 and 41 of the Convention of 8 April 1983 are relevant where State succession occurs as a result of the dissolution of a pre-existing State. While equity has some part to play in the division of State property, archives and debts between successor States, these articles do not require that each category of assets or liabilities be divided in equitable proportions but only that the overall outcome be an equitable division.

3. However, this equitable outcome is to be obtained by reference to the law of State succession. The rules applicable to State succession, on the one hand, and the rules of State responsibility, on which the question of war damages depends, on the other, fall within two distinct areas of international law.

4. The equitable division of the assets and liabilities of the former Socialist Federal Republic of Yugoslavia between the successor States must therefore be effected without the question of war damages being allowed to interfere in the matter of State succession, in the absence of an agreement to the contrary between some or all of the States concerned or of a decision imposed upon them by an international body.

5. The Arbitration Commission would, however, underline the fact that its reply to the question referred to it is in no way prejudicial to the respective responsibilities of the parties concerned in international law. The possibility cannot be excluded in particular of setting off assets and liabilities to be transferred under the rules of State succession on the one hand against war damages on the other.

6. Subject to the observations made above, the Arbitration Commission consequently takes the view that amounts that might be owing by one or more parties in respect of war damages can have no direct impact on the division of State property, archives or debts for purposes of State succession.

Paris, 16 July 1993

DOCUMENT S/26234*

Letter dated 3 August 1993 from the representative of Yugoslavia to the Secretary-General

[*Original: English*]
[*3 August 1993*]

I have the honour to transmit herewith a copy of the letter of 29 July 1993 from Mr. Vladislav Jovanovic, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to Mrs. Margaretha af Ugglas, Minister for Foreign Affairs of Sweden, Chairman-in-Office of the Council of the Conference on Security and Cooperation in Europe.

I should be grateful if you would have the text of the present letter circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission
of Yugoslavia to the United Nations

TEXT OF THE LETTER

Thanking you for your letter of 23 July 1993 [*S/26148, annex I*], informing me once again of the unchanged position of the Conference on Security and Cooperation in Europe (CSCE) *vis-à-vis* the reintegration of the Federal Republic of Yugoslavia into CSCE, I take the opportunity to point to the fact that the Federal Republic of Yugoslavia is not the party that refused to allow continued functioning of the CSCE Missions of Long Duration in the Federal Republic of Yugoslavia, it was in fact the Committee of Senior Officials which rejected cooperation that the Federal Republic of Yugoslavia offered on a number of occasions. Particularly puzzling are the reasons for surprise since we made it quite clear already in April 1993, at the signing of the Protocol on the extension of the mandate of the CSCE Missions of Long Duration, that the Federal Republic of Yugoslavia wanted to continue normal cooperation within CSCE and that it was going to consider the question of the continuation of the work of the CSCE Missions of Long Duration in the light of the decision of the Committee. Regrettably, as we can see from the decisions of the meeting of the Committee on 29 and 30 June 1993 at Prague, the Committee did not consider our request for cooperation. To accuse the Federal Republic of Yugoslavia now of the lack of willingness to cooperate is, to say the least, contrary to the factual state of affairs.

I would like to assure you that the situation in Kosovo and Metohija, Raska and Vojvodina is absolutely under control and there is no danger to international peace and security. Certainly, there is no interest or motive for the Government of the Federal Republic of Yugoslavia to aggravate the situation in its own territory.

The sanctions that the international community established against the Federal Republic of Yugoslavia more than a year ago are one-sided, unjust, unfair and are maintained without any reason. They are increasingly becoming a destabilizing factor for the entire region. Their dangerous consequences are increasingly jeopardizing the health and the very existence of the population of the Federal Republic of Yugoslavia. This is reflected in particular in the lack of medicine and the shortage of spare parts for medical equipment, as well as in the difficulties in the field of transport, be it by air, rail, road or water, which has been disrupted or completely discontinued. The very survival of the peoples living in the Federal Republic of Yugoslavia has been jeopardized by the sanctions and this question of life and death should be included in agendas of international forums. We are still waiting for an answer as to why entire nations living in the Federal Republic of Yugoslavia are being collectively punished. Consequences of sanctions are increasingly being felt also by other peoples living in our region.

As far as the Missions of Long Duration are concerned, we are fully aware of the positive results of the Missions' presence in the Federal Republic of Yugoslavia and we have nothing against their renewed presence in future, but it is for CSCE to decide when it would be prepared to accept our offer for normal cooperation with the Federal Republic of Yugoslavia.

We are indeed prepared to live up to the norms and principles that we have accepted as a CSCE participating State and all we want is precisely to participate.

Our desire and readiness to cooperate has been not only repeatedly stated, but has also been proved in practice by our acceptance of the Missions of Long Duration and of almost 70 various missions and over 800 journalists who visited Kosovo and Metohija alone during the last seven months. It is therefore surprising to learn that the Government of the Federal Republic of Yugoslavia has adopted a policy of non-cooperation with CSCE, while at the same time CSCE does not even consider our offers for cooperation.

We are repeating once again our full readiness to cooperate with CSCE, to have a dialogue concerning all questions related to that cooperation and without any conditions from our, or the CSCE, side.

DOCUMENT S/26235

Letter dated 4 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*4 August 1993*]

I have the honour to transmit herewith the text of a statement issued by the Ministry of Foreign Affairs of the Azerbaijani Republic.

I should be grateful if you would have this letter and above-mentioned statement circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

The Ministry of Foreign Affairs of the Azerbaijani Republic finds it necessary to register a strong protest because the Ministry of Foreign Affairs of the Armenian Republic and its missions abroad, in particular the Permanent Mission of Armenia to the United Nations, is flagrantly violating the generally accepted norms of intergovernmental relations and the principles and rules of international organizations by disseminating statements and appeals conducted in Erevan in the name of a non-existent "Nagorny Karabakh Republic".

The Ministry of Foreign Affairs of Azerbaijan expresses concern and indignation at a statement which the Permanent Mission of Armenia to the United Nations circulated on 23 July 1993 in the name of one K. Barburian, who has proclaimed himself "President of the Presidium of the Parliament of Nagorny Karabakh" [*S/26154*]. As in the case of all other documents circulated by the Republic of

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* Circulated under the double symbol A/48/290-S/26234

Armenia, it is aimed at disinforming the international community and the United Nations together with its authoritative organ, the Security Council.

The Ministry of Foreign Affairs of Azerbaijan hopes that the United Nations and the Security Council will respond appropriately to such "diplomatic" practice by Erevan, which abuses the good offices of the United Nations Secretariat. At the same time, the Ministry of Foreign Affairs of Azerbaijan considers it necessary to reveal the real situation and to draw the international community's attention to the patent contradiction between the true facts and the Armenian insinuations.

One has only to compare the dates of communications from the Armenian side concerning offensive military operations on the eastern frontiers of the "Nagorny Karabakh Republic" allegedly conducted by Azerbaijan with actual events on those dates in order to discover the full dimension of the falsity of Armenian propaganda. The same is true of May 1992, when Shusha and Lachin districts in the Azerbaijani Republic were captured, while the Armenian mass media loudly proclaimed that the security of the "peaceful" population of Hankendi was threatened. It is true also of December 1992, when Armenian armed forces invaded the Zangelan, Kubatli and Djebrail districts of Azerbaijan and occupied 15 villages, yet Armenia appealed to the international community to bring to a halt the Azerbaijani attack on the Goris district of Armenia. It is true also of March 1993, when the Kelbadjar district of Azerbaijan was occupied, while Erevan persisted in trying to convince the entire world that the conflict had been escalated by the Azerbaijani side. With a singular lack of originality, the Ministry of Foreign Affairs of Armenia is continuing in the same vein. From 12 June onwards, communications from Erevan concerning the alleged attack on Askeran being prepared by Azerbaijan have been circulated. Some time later, and this now is reality, Armenian armed forces waged a large-scale attack on the Agdam district of Azerbaijan, which affected 123 settlements and 178,000 inhabitants, including 20,000 refugees from other occupied districts of Azerbaijan. In the course of this attack, the city of Agdam and 49 villages were occupied and some 200 civilians were killed and wounded. The number of refugees totalled 160,000. The 2nd Army Corps of the Armenian army and additional forces transferred from Armenia and occupied Kelbadjar took part in the assault on Agdam.

Such are the actual events requiring due appraisal by the Security Council and a suitable response.

DOCUMENT S/26236

Letter dated 4 August 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*4 August 1993*]

I have the honour to forward to you herewith a copy of a statement by the Ministry of Foreign Affairs of the Republic of Armenia of 2 August 1993, regarding Security Council resolution 853 (1993).

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

The Ministry of Foreign Affairs of the Republic of Armenia appreciates the continuing interest of the international community and especially the Security Council in finding a peaceful solution to the Nagorny Karabakh conflict.

The Ministry shares the concern expressed by the Security Council in its resolution 853 (1993) regarding the recent escalation of military operations in the region. This escalation is the result of the mistrust between the parties to the conflict, the impact of the domestic situation in Baku on the military situation, the differences between the interests of countries in the region and the cumulative effect of the blockades.

In this regard, resolution 853 (1993) is an important step in removing the obstacles to the establishment of a durable cease-fire.

The Ministry welcomes especially the Council's recognition, as expressed in resolution 853 (1993), of the importance of direct contacts between the parties to the conflict, which, in our evaluation, is an expression of support for the Baku-Stepanakert dialogue. Without contradicting the logic of the Minsk process, the dialogue between the parties to the conflict is the most efficient way to achieve mutual trust. In the case of support by the Conference on Security and Cooperation in Europe (CSCE), these direct contacts could become a practical basis for the achievement of a durable cease-fire. Armenia is confident that the Minsk Group and its chairmanship could make the best use of the dialogue established between the two parties.

Significant also in resolution 853 (1993), is the condemnation of attacks on civilians and bombardments of inhabited areas, which undoubtedly refers to the military operations undertaken by Azerbaijan against Kapan, Vardenis and Stepanakert.

The Ministry welcomes the appeals for the lifting of the blockades and the opening of all roads to humanitarian assistance and, in its turn, appeals to all sides to follow Armenia's example by opening the roads passing through their territories.

Armenia expresses deep concern about any statement, including any reference in resolution 853 (1993), which attempts to predetermine the outcome of the Minsk Conference. The Republic of Armenia expresses the hope that hereinafter, the international community, comprehending the threat to the lives and security of the people of Nagorny Karabakh, will demonstrate a more balanced position on these issues.

Armenia calls upon all parties to refrain from military operations and provocations, and continues to believe that the United Nations-supported CSCE Minsk process remains the best forum for the resolution of the conflict.

DOCUMENT S/26237

Letter dated 2 August 1993 from the representative of Iraq to the Secretary-General

[*Original: Arabic*]
[*4 August 1993*]

On instructions from my Government, I should like to inform you that on 30 July 1993 Radio Teheran alleged that Iraqi aircraft had twice violated Iranian airspace during the month of June. The Government of the Republic of Iraq categorically denies these Iranian allegations, and it affirms that no Iraqi aircraft has made any

penetration of Iranian airspace and that Iraq has adhered to the cease-fire agreement pursuant to Security Council resolution 598 (1987).

I should like in this connection to refer to the many letters I have addressed to you concerning Iranian violations, all of which confirm the falsity of these Iranian allegations. Iranian aircraft have violated Iraqi airspace on many occasions, and it is enough for me to refer to the most serious such incidents, namely the air raid carried out by eight Iranian aircraft on the Khalis area on 5 April 1992 [*S/23785*], the air raid launched by six Iranian aircraft on an Iraqi civilian hospital in the Raniyah area on 13 March 1993 [*S/25473*] and the air raid carried out recently by six Iranian aircraft on the Khalis and Jalula areas on 25 May [*S/25864*].

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Nizar HAMDOON
Permanent Representative
of Iraq
to the United Nations

DOCUMENT S/26241

Letter dated 4 August 1993 from the representative of Tajikistan to the Secretary-General

[*Original: Russian*]
[*5 August 1993*]

Upon gaining its independence, the Republic of Tajikistan embarked on the establishment of its legal system and the creation of the structures and democratic institutions essential to a sovereign State. In May 1992, however, the Tajik opposition, by the use of force, seized power and plunged Tajikistan into civil war. After suffering defeat, the opposition crossed over into the territory of the Islamic State of Afghanistan.

At its sixteenth session, the Supreme Council of the Republic of Tajikistan restored the rule of law in the country. The session elected the new members of the Presidium of the Supreme Council and approved the members of the Council of Ministers of the Republic of Tajikistan, who are making every effort to restore peace and stability in the Republic and to create normal conditions for the peaceful life and constructive work of its citizens.

The people and Government of Tajikistan are profoundly concerned by the powerful and well-coordinated acts of armed aggression perpetrated by certain groups of Afghan mujahidin and the Tajik armed opposition from the territory of the Islamic State of Afghanistan in the territory of the independent and sovereign State of Tajikistan and against Russian frontier guards who, at the request of the leaders of our country, are protecting its frontier with the Islamic State of Afghanistan. This joint aggression is designed to undermine stability both in Tajikistan and throughout the Central Asian region.

These revanchist acts of extremism and terrorism bear witness to the prior existence of a carefully worked out subversive plan, directed against the Tajik people. The situation on the Tajik-Afghan frontier remains highly volatile and is the cause of serious concern.

I am compelled by these circumstances to address this letter to you and to draw your attention to the appeal by the Coordinating Council of National Associations and Communities of the Republic of Tajikistan of 30 July 1993 to the Heads of State of the Member States of the United Nations, the Conference on Security and Cooperation in Europe, the international community and the people of Afghanistan, condemning the extremist forces in Afghanistan and the Tajik revanchists.

The appeal refers, *inter alia*, to the establishment in certain places in Afghanistan of training centres for guerrillas. With the support of certain Afghan field commanders, these guerrillas are carrying out armed attacks on Russian frontier guards, who are performing their duty in accordance with the Treaty on Collective Security of the member States of the Commonwealth of Independent States. What is most troubling is that the Tajik armed opposition and the groups of Afghan mujahidin, together with their accomplices, are attempting to set the peoples of Tajikistan, the Russian Federation and Afghanistan against each other and to provoke them into an armed conflict, thus igniting large-scale inter-ethnic and inter-State hostilities. The document entreats the Afghan people, who have themselves experienced the horrors of many years of war, not to believe the leaders of the Tajik armed opposition, who were overthrown by the people of Tajikistan.

Today marks the conclusion of the operation to rout the anti-government band of Tajik guerrillas and Afghan mujahidin who, at the end of June 1993, infiltrated the area near the eleventh frontier post of the Moskovsky frontier guard detachment. The build-up of large numbers of Tajik armed opposition forces and Afghan mujahidin is, however, continuing in the territory of Afghanistan along the frontier with Tajikistan. In these circumstances, the Government of Tajikistan supports the statement by the Russian Government and considers that, given the present developments, the only alternative is decisive action to put an end to the armed aggression in the area of the Tajik-Afghan frontier, in full conformity with the right of individual and collective self-defence, provided for under Article 51 of the Charter of the United Nations.

At the same time, the Government of Tajikistan is making active endeavours to normalize the situation on the Tajik-Afghan frontier through political negotiation and is prepared to enter into peaceful dialogue with the Afghan side at any level, including direct meetings and talks between the Heads of State of Tajikistan and Afghanistan. On 1 August 1993, the Minister for Foreign Affairs of Tajikistan, Mr. Rashid Alimov, twice approached his Afghan counterpart, Mr. Hedayat Amin Arsala, with the proposal that they should meet urgently to discuss the situation on the frontier between Tajikistan and Afghanistan and to elaborate settlement measures.

My Government is taking diplomatic steps to set in motion, at the earliest possible date, multilateral talks on a settlement of the situation between our two neighbouring countries, Tajikistan and Afghanistan, in the hope of satisfying the aspiration for peace felt so strongly by the Tajik and Afghan peoples.

The Government and the people of Tajikistan greatly appreciate the steps which you have taken to promote the establishment of peace and stability in our region and express the hope that you personally and your representatives will continue to render assistance to all the parties to the conflict in the search for a political settlement to the situation on the Tajik-Afghan frontier, with all its ramifications.

I should be grateful if you would have this letter circulated as an official document of the Security Council.

(*Signed*) Lakim K. KAYUMOV
Permanent Representative
of Tajikistan
to the United Nations

DOCUMENT S/26243

Letter dated 4 August 1993 from the representative of India to the President of the Security Council

[*Original: English*]
[*5 August 1993*]

I have the honour to transmit herewith a statement dated 2 August 1993 by the Official Spokesman of the Ministry of External Affairs of the Government of India on recent developments on the Afghanistan-Tajikistan border.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) T. P. SREENIVASAN
Chargé d'affaires a.i.
of the Permanent Mission of India
to the United Nations

TEXT OF THE STATEMENT

We are distressed to learn about the developments in the Afghanistan-Tajikistan border region resulting in heavy loss of human lives and large-scale destruction. We have friendly feelings for the peoples of both Afghanistan and Tajikistan, with whom we have enjoyed close relations traditionally.

We call upon all parties to exercise maximum restraint, to avoid further bloodshed and to resolve differences peacefully through negotiations. We reaffirm the principle of non-violability of international borders and express our deep concern over the growing challenge posed by trans-border activities directed against the integrity of neighbouring States in the region.

DOCUMENT S/26244

Letter dated 4 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*5 August 1993*]

Upon the instructions of President Alija Izetbegovic, I have the honour to inform you that the President will attend the continuation of the talks in Geneva on the basis of commitments that the United States, in conjunction with the North Atlantic Treaty Organization (NATO), will halt the brutal siege of Sarajevo and will induce the withdrawal of Serbian forces from newly occupied positions. President Izetbegovic came to the talks in Geneva on the basis of assurances from the Co-Chairmen of the International Conference on the Former Yugoslavia that a cease-fire will be enforced throughout the Republic of Bosnia and Herzegovina and that humanitarian relief will be delivered to desperate populations without interference.

Neither of the above assurances has been observed, and we are dismayed that the Co-Chairmen continue to insist upon President Izetbegovic's participation, while not demanding tougher measures to confront Serbian violations of the cease-fire and the continuing blockade of humanitarian relief.

President Izetbegovic and the Bosnian delegation will energetically work towards a settlement. We ask the international community and, in particular, NATO, to promptly and unequivocally live up to their commitments.

Excellency, please assist in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

DOCUMENT S/26245

Letter dated 5 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*5 August 1993*]

Serbian forces, as witnessed by international television, have extensively utilized helicopters in their assaults around Sarajevo. We have been informed that United Nations forces have also witnessed the blatant and "militarily significant" violation of the United Nations-mandated no-fly zone.

The failure of the internationally mandated forces to confront these increasing violations has the effect of undermining the defense of our cities since the international community, through the United Nations arms embargo, also deprives us of the defensive weapons to challenge these helicopters. The consequences of not enforcing the no-fly zone and simultaneously of continuing to apply the arms embargo against our Republic is to implicitly aid the aggression.

We request that the Security Council urgently convene to review why its resolutions are being so selectively implemented and enforced.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

DOCUMENT S/26246[*]

Letter dated 5 August 1993 from the representative of Slovenia to the Secretary-General

Upon instructions from my Government I have the honour to transmit attached a letter which I have sent today to the President of the Security Council.

I would be grateful if you would have the text circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Danilo TÜRK
Permanent Representative
of Slovenia
to the United Nations

Letter dated 5 August 1993 from the representative of Slovenia to the President of the Security Council

I wish to bring to your attention some of the pertinent facts arising from the dissolution and extinction of former Yugoslavia. The matter is of particular relevance at this stage, in view of Security

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[*] Circulated under the double symbol A/48/292-S/26246.

Council resolution 821 (1993) of 28 April 1993, by which the Council decided to consider the matter again before the end of the forty-seventh session of the General Assembly.

As you will recall, the Security Council has, in its resolutions 777 (1992) and 821 (1993), stated that the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist and that the "Federal Republic of Yugoslavia (Serbia and Montenegro)", as one of the successor States of the Socialist Federal Republic of Yugoslavia, should apply for membership in the United Nations. The General Assembly has reiterated the same in its resolutions 47/1 and 47/229. However, the General Assembly has not yet declared that former Yugoslavia has, as a result of its extinction, ceased to be a Member of the United Nations. In a number of official contexts, Yugoslavia still appears as one of the Members of the United Nations.

The dissolution and extinction of the Socialist Federal Republic of Yugoslavia is now an obvious fact. The processes leading to this situation were amply explained in the letter dated 27 May 1992 from the Minister for Foreign Affairs of the Republic of Slovenia addressed to the Secretary-General [*S/24028*]. The Arbitration Commission of the Conference on Former Yugoslavia, chaired by Mr. Robert Badinter, has, on 4 July 1992, presented its advisory opinion no. 8, in which it concluded that the process of dissolution was complete and that the Socialist Federal Republic of Yugoslavia no longer exists. The Arbitration Commission also emphasized the principle of equality of all successor States of former Yugoslavia. The resolutions of the Security Council 777 (1992) and 821 (1993) and of the General Assembly 47/1 and 47/229 have confirmed the essence of these opinions.

Four out of five successor States of former Yugoslavia (namely, Bosnia and Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia) are Members of the United Nations. They represent the numerical majority of successor States as well as the major part of population and territory of former Yugoslavia.

There is a need for the General Assembly to take action to terminate the membership of former Yugoslavia in the United Nations so as to eliminate any ambiguity concerning this issue. It should be pointed out that delaying the definitive action for termination of membership of former Yugoslavia in the United Nations is producing a number of adverse political effects. Above all, it strengthens the illusion that the "Federal Republic of Yugoslavia (Serbia and Montenegro)" will be eventually accepted as the continuity of former Yugoslavia. Thus, the "Federal Republic of Yugoslavia (Serbia and Montenegro)" officially informed the Security Council [*S/26038*] that it withdrew from the Working Group on State Succession of the International Conference on Former Yugoslavia. The negotiations on State succession have thus been blocked. At the same time, important assets, such as all immovable property acquired by the Socialist Federal Republic of Yugoslavia in the territories of third States (including all premises of diplomatic missions) continue to be in possession of the "Federal Republic of Yugoslavia (Serbia and Montenegro)".

Moreover, should such an ambiguity be further maintained, it would continue to enhance the feeling that human rights provisions and basic principles and precepts of the United Nations can be flouted. (The recent refusal of the authorities in the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to allow the human rights missions of the Conference on Security and Cooperation in Europe (CSCE) to continue their activities is yet another example of this attitude.) Finally, this ambiguity will further strengthen the impression that the policy of use of military force would be eventually rewarded by direct or indirect territorial gains and by recognition of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" as the continuity of former Yugoslavia - which, in turn, would legitimize those territorial gains.

The act of definitive termination of membership of former Yugoslavia in the United Nations will put an end to such expectations and will thus significantly contribute to the settlement of various problems arising from the dissolution and extinction of the Socialist Federal Republic of Yugoslavia.

There is no doubt that the situation which emerged after the dissolution and extinction of the Socialist Federal Republic of Yugoslavia calls for additional measures. The Security Council and the General Assembly should take note of this fact and should take necessary action without delay.

I would be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Danilo TÜRK
Permanent Representative
of Slovenia
to the United Nations

DOCUMENT S/26248*

Letter dated 5 August 1993 from the representative of Nicaragua to the Secretary-General

[*Original: Spanish*]
[*5 August 1993*]

I have the honour to transmit to you a letter from Mr. Ernesto Leal, Minister for Foreign Affairs of the Republic of Nicaragua, inviting you to appoint a mission to observe *in situ* the updating of the weapons inventories periodically carried out by the Nicaraguan army, an operation that the Nicaraguan Government sees as a further step in its policy of transparency in military affairs and as an additional confidence-building measure in the region. The mission could visit Nicaragua during the last week of August 1993.

I should be grateful if you would have this letter circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Erich VILCHEZ ASHER
Chargé d'Affaires a.i.
of the Permanent Mission of Nicaragua
to the United Nations

LETTER DATED 30 JULY 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF NICARAGUA TO THE SECRETARY-GENERAL

The Government of Nicaragua is deeply committed to the establishment of a firm and lasting peace in Central America. With that in view, we consider that the progress achieved in democratization and regional pacification should give rise to a vigorous and comprehensive process to reduce armaments and military forces with a view to establishing a reasonable balance of forces in the region.

As far as Nicaragua is concerned, this is one of the fundamental aims of the domestic and foreign policy of President Violeta Barrios de Chamorro. In this spirit, we have developed a series of domestic initiatives which have achieved substantial reductions in the army, as well as a decrease in armaments and the military budget.

With regard to foreign policy, we have promoted a series of initiatives within the framework of the summit meetings of the Central American Presidents and, in particular, through the Security

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* Circulated under the double symbol A/47/997-S/26248.

Commission of the Central American countries, designed to restrict to a minimum the number of military and security forces and the quantity of weapons in the region.

Guided by its desire for peace, the Nicaraguan Government has on two occasions transmitted to you the inventory of military equipment, armaments and installations and the census of military and security forces personnel in the Republic of Nicaragua, in an effort to update periodically our military situation and cultivate a policy of complete transparency and commitment to the demilitarization of Central America. We have also transmitted to you a report on transfers of weapons.

As a further demonstration of the Nicaraguan Government's desire for peace, we wish to invite you to appoint a mission to observe *in situ* the updating of the weapons inventories periodically carried out by the Nicaraguan army, an operation intended as a further step in our policy of transparency in military affairs and as an additional confidence-building measure in the region. I am also requesting the Secretary-General of the Organization of American States to appoint a mission to participate jointly in this important task with the United Nations observers. The mission could visit Nicaragua during the last week of August 1993.

I should like to express once again our gratitude for your continuing efforts to achieve stability and peace in Central America.

(*Signed*) Ernesto LEAL SANCHEZ
Minister for Foreign Affairs
of Nicaragua

DOCUMENTS S/26250 AND ADD.1

Report of the Secretary-General in pursuance of Security Council resolution 849 (1993)

DOCUMENT S/26250

[*Original: English*]
[*6 August 1993*]

INTRODUCTION

1. In paragraph 2 of its resolution 849 (1993) of 9 July 1993, the Security Council requested me, *inter alia*, "to begin immediately the necessary preparations, including contacting Member States which may be able to make observers available and sending a planning team to the area, for the dispatch of 50 military observers to Georgia once the cease-fire is implemented." In paragraph 3, the Council also requested me to notify its members, for their decision, when the cease-fire had been implemented and conditions permitted the deployment of the observers, and to make recommendations at that stage for their mandate.

2. In accordance with the Council's request, I dispatched a planning team to prepare for the eventual deployment of the military observer mission. The team, led by Mr. George L. Sherry, former Assistant Secretary-General, visited the area from 19 to 26 July 1993. Independently of the planning team, my Special Representative, Ambassador Edouard Brunner, also undertook a visit to the area, from 28 to 31 July, immediately after the coming into effect of the cease-fire, in pursuance of the tasks specified in paragraph 2 of resolution 849 (1993). The present report is based on the recommendations which I have received both from Ambassador Brunner and from the planning team.

3. On 27 July, a day after the planning team left the area and shortly before Ambassador Brunner's arrival there, a new cease-fire agreement was concluded between the Government of Georgia and the Abkhaz authorities in Gudauta with the mediation of Mr. Boris Pastukhov, Deputy Minister for Foreign Affairs of the Russian Federation in the role of facilitator. The agreement is reproduced in annex I to the present report. It re-established a cease-fire on 28 July 1993, and envisages the arrival of international observers within 10 to 15 days of that date.

4. The agreement provides, *inter alia*, for a trilateral "Joint Commission" including representatives of the parties as well as the Russian Federation. The "Joint Commission", to be established by 5 August 1993, will assume responsibility for the supervision of the establishment and maintenance of the cease-fire. For this purpose, a number of tripartite Georgian-Abkhazian-Russian "interim monitoring groups" will be established by the "Joint Commission" in order to conduct patrols on the ground and deal with breaches of the cease-fire as appropriate. The agreement envisages that military observers from the United Nations as well as from the Conference on Security and Cooperation in Europe (CSCE) will help to verify compliance with the cease-fire on the ground and also participate in the work of the trilateral "Joint Commission".

5. The agreement envisages the deployment of the "interim monitoring groups" that are to establish close contact with the international observers upon their arrival, in Sukhumi, Gulripsh, Gudauta, Novy Afon, Tkvarcheli, Gagra and Gali, and possibly in other locations. International observers are also to be deployed along the Gumista, Psou and Inguri rivers.

6. The parties also consider it necessary to invite international peace-keeping forces in the conflict zone to participate in maintaining the cease-fire and public order. This task may be shared, subject to consultation with the United Nations, by the Russian military contingent temporarily deployed in the zone.

I. REPORT OF THE PLANNING TEAM

7. The terms of reference of the planning team called for preparation for the deployment of 50 military observers in the area of conflict between the Republic of Georgia and Abkhazia to supervise the cease-fire agreement of 14 May 1993 between the parties. As outlined in my report of 1 July 1993 [*S/26023*], the observers were to be dispatched once the cease-fire was implemented. Owing to the conditions outlined in my report of 7 July 1993 [*S/26023/Add.2*], their deployment was not effected. Meanwhile, the planning team was to draw up a detailed plan that would enable me to make recommendations to the Security Council concerning the mandate of the observer mission in conformity with paragraph 3 of resolution 849 (1993).

8. The team visited Tbilisi, Sukhumi, Gudauta and Ochamchira; it had meetings with Georgian government officials in Tbilisi and Sukhumi, with Abkhaz officials in Gudauta, and with representatives of the Russian Federation. Because of shelling, the team was prevented from visiting some of the front-line and other villages.

9. In its contacts with the representatives of the parties to the conflict and the representative of the Russian Federation present in Georgia, the team made clear that any provision with implications exceeding the mandate in resolution 849 (1993) would require the authorization of the Security Council. The team explained in detail the concept of a United Nations military observer mission in Georgia, also discussing such practical questions as the selection of headquarters sites and arrangements for housing and logistical support of the operation.

10. The Chairman of the Georgian Parliament and Head of State, Mr. Eduard Shevardnadze, and other government officials in Tbilisi stressed the importance of the speedy deployment of United Nations

military observers. They explained that the provision for "interim monitoring groups" in the cease-fire agreement was designed to avoid the vacuum that would otherwise develop between the entry into force of the cease-fire and the deployment of international military observers, a vacuum that might tempt one of the parties to initiate military action in order to change the territorial status quo. They considered that the "interim monitoring groups" should remain in the area even after the international observers were in place. Georgian officials also suggested that the 27 July 1993 cease-fire agreement had a good chance of holding provided the Government of the Russian Federation sealed the border effectively to prevent arms traffic from Sochi, stopped the infiltration of armed groups from northern Caucasus and promoted a fair settlement of the underlying political issues. The Russian facilitator, Mr. Pastukhov, took the position that any cross-border arms traffic was organized by elements outside the control of his Government, which would therefore welcome a United Nations presence to help to end such activities.

11. Whereas the Abkhaz authorities in Gudauta initially expressed scepticism about the need for a United Nations role in the conflict, they eventually took the position that they would not obstruct the deployment of United Nations observers in areas under the control of Abkhazian forces.

II. CONCEPT OF OPERATION

12. Should the Security Council so decide, the tasks envisaged for military observers in the cease-fire agreement signed on 27 July 1993 could be carried out by a United Nations military observer mission to be known as the "United Nations Observer Mission in Georgia" (UNOMIG). The mission would be under the command of the United Nations, vested in the Secretary-General under the authority of the Security Council. Command and control in the field would be exercised by a Chief Military Observer (CMO), with the rank of Brigadier- General, designated by the Secretary-General in consultation with the Security Council. The CMO would report to the Secretary-General.

13. UNOMIG would establish its headquarters in Sukhumi. It would maintain three sector headquarters (in Sukhumi and Ochamchira, and at the Psou river) and a liaison office in Tbilisi (see map in annex II to the present report). To perform its monitoring functions effectively, UNOMIG would need a combination of static observation posts and mobile patrols. It is envisaged that three observation posts in the Sukhumi sector and four patrol teams in the Ochamchira sector would be required. Helicopter patrols would be used to supplement vehicle patrols. Moreover, it is envisaged that two checkpoints on the Psou river and one checkpoint on the Inguri river would be necessary to monitor crossing points. Helicopter and random mobile patrols would be conducted to monitor secondary crossing sites. The total strength of the mission would be 88 military personnel, along with international and local support staff.

14. In order to carry out their functions, the military observers would need to have freedom of movement and access, communication and inspection, and enjoy other rights necessary for the performance of their tasks. UNOMIG and its personnel would also have to be granted all relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations. A status-of-mission agreement with the Government of Georgia and necessary arrangements with the Abkhaz authorities in Gudauta would therefore be required to enable UNOMIG to function effectively.

15. I have already requested a number of Governments to provide military observers for the proposed mission. As soon as I have received responses from all of them, I shall decide upon the composition of the mission, with the concurrence of the Security Council, keeping in mind the accepted principle of equitable geographical representation. I would report regularly to the Security Council on the operation of UNOMIG. All matters that might affect the nature or the continued effective functioning of the observer mission would be referred to the Security Council for its decision.

16. I shall, as soon as possible, submit an addendum to the present report stating the financial and administrative implications of the operation as described above.

III. OBSERVATIONS

17. Following the signature of the agreement on 27 July 1993, the cease-fire came into effect on 28 July and, despite some incidents, is generally being respected. It is evident that the presence of international observers, as envisaged in the agreement, would provide a major stabilizing effect. It is keenly desired by the Georgian and Russian Governments and has been accepted by the Abkhaz authorities in Gudauta. In the context of paragraph 3 of resolution 849 (1993), and based on reports received from my Special Representative, it is my view that conditions now prevail which permit the deployment of the proposed military observer mission as outlined in paragraphs 12 and 13 above. Its tasks would be:

(*a*) To verify respect for the cease-fire agreement on 27 July 1993;

(*b*) To assist in avoiding any escalation of hostilities, with special attention to the city of Sukhumi;

(*c*) To maintain a channel of communication with the military commanders of the parties in order to forestall violations of the cease-fire;

(*d*) To investigate reports of cease-fire violations and to attempt to resolve such incidents on the ground with the parties involved;

(*e*) To report to Headquarters on the implementation of its tasks.

18. After considering carefully the findings of the planning team, I have reached the conclusion that the dispatch of 50 military observers, as authorized by resolution 849 (1993), which was adopted prior to the 27 July agreement, would not be sufficient to cope with the situation which has developed since. I agree with the conclusion of the planning team that the additional deployment (along the Gumista, Psou and Inguri rivers) called for by this agreement would strengthen the effectiveness of the United Nations military observation mission considerably. I therefore recommend that the Security Council expand the mandate of the mission to include such tasks as part of the operation and initiate the deployment of 88 military observers and supporting staff without delay. I further recommend that the Council authorize the establishment of UNOMIG with such an expanded mandate. In this event, I propose to appoint Brigadier-General John Hvidegaard of Denmark as the CMO.

19. However, I wish to draw the Council's attention to some novel features in the agreement referred to which could impinge upon the functioning of UNOMIG. Paragraph 2 of the agreement envisages that the tripartite "interim monitoring groups" which have the responsibility for monitoring the cease-fire regime, will establish close contact with "international observers". In paragraph 3, it is envisaged that the parties are to comply with determination of violations by the "interim monitoring groups", and that violations are to be reported to the United Nations and CSCE. While United Nations and CSCE observers may participate in the "Joint

Commission" established under paragraph 4, the detailed modalities for this participation remain to be clarified. Paragraph 5 mentions "international observers and peace-keeping forces". Paragraph 6 provides for the temporary deployment of a Russian military contingent, subject to consultation with the United Nations.

20. Thus, the agreement appears to anticipate some sort of co-deployment with other contingents and groups that are also assigned responsibilities for maintaining the cease-fire and public order. With the Council's approval, an advance team of the mission is being dispatched to the area. One of its tasks will be to clarify with the parties the relationship of UNOMIG with these entities, and the extent of their respective responsibilities and authority, before the full deployment of the mission is effected.

21. It would be my hope that United Nations assistance, through the establishment of UNOMIG, would lead to the resolution of the present situation and to the early restoration of peace, security and stability to the region through negotiations, for which my Special Representative is at the disposal of the parties, so that UNOMIG's task may be completed speedily and the mission terminated.

ANNEX I

[*Original: Russian*]

Agreement on a cease-fire in Abkhazia and arrangements to monitor its observance

The representatives of the parties to the conflict have, with the mediation of the Russian Federation, agreed as follows:

1. With effect from 1200 hours on 28 July 1993, the parties to the conflict shall resume strict observance of the regime established on 20 May 1993 for a cease-fire and the non-use of force against each other in the conflict zone.

The combat use of aircraft, artillery, vessels and any military equipment and weapons shall be prohibited.

No additional troops or other armed formations shall be brought into the conflict zone (into the territory of Abkhazia) and there shall be no mobilization, unapproved movement of troops and other formations, deliveries of arms and ammunition or construction of military infrastructure.

2. With effect from 29 July 1993, the trilateral Georgian-Abkhaz-Russian interim monitoring groups (comprising three to nine persons each) shall begin to function; their membership shall be decided by agreement between the parties.

The interim monitoring groups shall supervise the observance of the cease-fire regime. They shall be stationed in Sukhumi, Gulripsh, Ochamchira, Gudauta, Novy Afon, Tkvarcheli, Gagra and Gali. If the need arises, the groups shall, by agreement of the parties, be stationed in other places as well. The monitoring groups shall have the right of access to any part of the conflict zone of interest to them, after they have notified the parties accordingly. The parties to the conflict shall ensure the safety of the monitoring groups and shall provide them with accommodation and means of transport.

The monitoring groups may consider appeals from members of the population on various issues.

When the international observers arrive, the interim monitoring groups shall establish close liaison with them.

3. Each of the parties to the conflict undertakes to adopt immediate and effective measures to put a stop to any action by its formations deemed by the monitoring groups to be in breach of the cease-fire regime and to respond efficiently to the recommendations and proposals of the monitoring groups.

The United Nations and the Conference on Security and Cooperation in Europe (CSCE) shall be notified of violations of the commitments which the parties to the conflict have entered into under this agreement.

4. A Joint Commission on the settlement in Abkhazia shall be established by 5 August 1993. Its statute shall be approved by the parties. Representatives and observers from the United Nations and CSCE shall be invited to participate in the work of the Commission.

5. The parties consider it essential to invite international observers and peace-keeping forces to be deployed in the conflict zone. This shall be on the understanding that the size and composition of the international peace-keeping forces shall be determined in consultation with the United Nations Secretary-General of the United Nations and the Security Council and subject to the agreement of the parties.

6. The phased demilitarization of the conflict zone shall commence. International observers shall immediately be brought into the conflict zone and the armed formations of the Republic of Georgia shall be withdrawn from the territory of Abkhazia over a period of 10 to 15 days from the date of the cease-fire.

During this same period, the armed formations, groups and persons located in the conflict zone shall be demobilized and withdrawn from Abkhazia.

For the purposes of protecting main roads and important facilities, in accordance with the final document of the Moscow meeting of 3 September 1992 [*S/24523*], a subunit of internal troops shall be formed from the local population on the Georgian side and placed on stand-by. Subsequently this subunit, together with the regiment of internal troops referred to below, shall form part of the multinational internal troops of Abkhazia.

The armed formations on the Abkhaz side shall be amalgamated into a regiment of internal troops, which shall be placed on stand-by and, until a comprehensive settlement is reached, shall perform functions appropriate to internal troops (guarding main roads and important facilities).

All the above activities shall be conducted under the supervision of the Joint Commission.

International observers shall be deployed along the Gumista, Psou and Inguri rivers.

Immediately after the cease-fire, a multinational police force shall be established in the conflict zone for the purposes of maintaining public order. Its composition and size shall be determined by the parties.

International peace-keeping forces and, subject to consultation with the United Nations, the Russian military contingent temporarily deployed in the conflict zone shall participate in efforts to uphold the cease-fire regime and maintain law and order.

The parties to the conflict shall guarantee the rights of the multi-ethnic population.

Measures shall be taken to return refugees to their homes and to render assistance to them. The Joint Commission shall set up a special group to ensure that refugee problems are attended to efficiently.

7. The Russian troops temporarily located in the territory of Abkhazia shall observe strict neutrality.

The temporary deployment status, *modus operandi* and withdrawal timetable and procedure applicable to the military formations and frontier troops of the Russian Federation shall be determined by separate treaty documents.

The parties shall ensure the safety of Russian servicemen and their families.

8. In accordance with the final document of the Moscow meeting of 3 September 1992, the parties shall create conditions for the legitimate authorities in Abkhazia to resume their normal functions.

9. The parties to the conflict, acting under the auspices of the United Nations and with the facilitation of the Russian Federation, shall immediately

resume negotiations on the preparation of an agreement on the comprehensive settlement of the conflict in Abkhazia.

The agreement shall reflect basic issues relating to the maintenance of peace: the demilitarization of the conflict zone, the deployment of international peace-keeping forces, the revival of economic life, the maintenance of law and order, the criminal prosecution of persons who have committed offences against the civilian population, the return of refugees to their homes, the observance of human rights and the rights of national minorities and guarantees to uphold the political status and state system of Abkhazia.

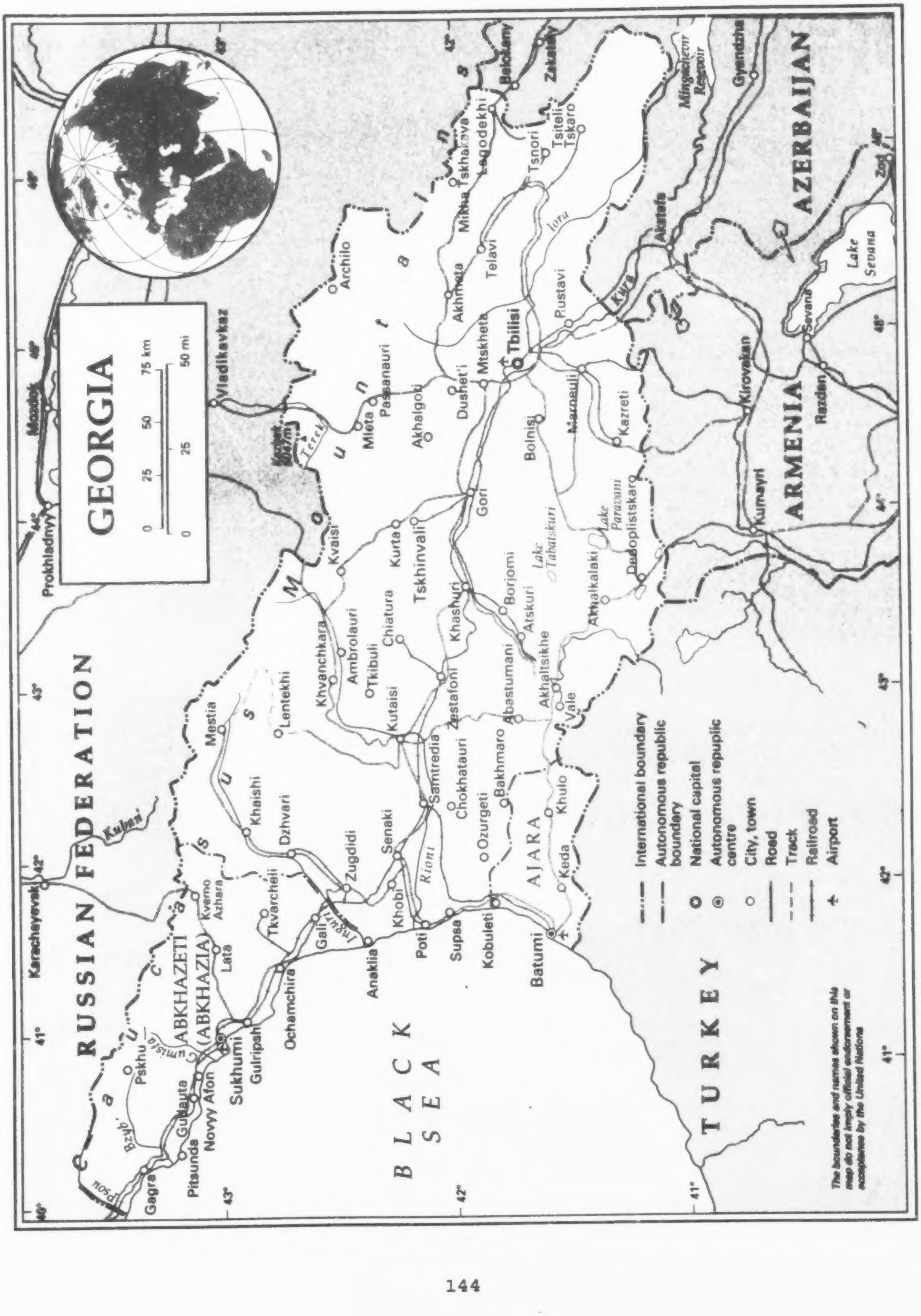
10. The participants in this agreement undertake not to use its provisions or the cease-fire regime for any actions which could be prejudicial to the interests of any one of them.

Sochi, 27 July 1993

For the Georgian side	For the Abkhazian side	For the Russian Federation
[*Signed*]	[*Signed*]	[*Signed*]

ANNEX II

Map of Georgia


GEORGIA
0 25 50 75 km
0 25 50 mi
RUSSIAN FEDERATION
BLACK SEA
TURKEY
ARMENIA
AZERBAIJAN
ABKHAZETI (ABKHAZIA)
AJARA
Caucasus Mountains
Tbilisi
Sukhumi
Batumi
Kutaisi
Poti
Gagra
Pitsunda
Gudauta
Novyy Afon
Gulripsh
Ochamchira
Tkvarcheli
Gali
Anaklia
Zugdidi
Khobi
Senaki
Samtredia
Supsa
Kobuleti
Ozurgeti
Chokhatauri
Bakhmaro
Keda
Khulo
Zestafoni
Tkibuli
Ambrolauri
Chiatura
Khashuri
Borjomi
Abastumani
Akhaltsikhe
Vale
Atskuri
Akhalkalaki
Dmanisi
Dedoplistskaro
Gori
Tskhinvali
Kurta
Kvaisi
Mleta
Pasanauri
Akhalgori
Dushet'i
Mtskheta
Akhmeta
Telavi
Tsnori
Tsiteli Tskaro
Lagodekhi
Mikha Tskhakaya
Rustavi
Marneuli
Bolnisi
Kazreti
Pskhu
Kvemo Azhara
Lata
Dzhvari
Khaishi
Mestia
Lentekhi
Khvanchkara
Archilo
Kazbek 5047m
Vladikavkaz
Mozdok
Prokhladnyy
Karacheyevsk
Kuban
Terek
Rioni
Inguri
Kodori
Bzyb'
Psou
Kura
Iora
Lake Tabatskuri
Lake Paravani
Lake Sevana
Mingechaur Reservoir
Kumayri
Kirovakan
Razdan
Sevan
Akstafa
Gyandzha
Zakataly
Belokany
Lake Sevana
41°
42°
43°
44°
45°
46°
International boundary
Autonomous republic boundary
National capital
Autonomous republic centre
City, town
Road
Track
Railroad
Airport
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations

MAP NO. 3780 Rev. 1 UNITED NATIONS
AUGUST 1993

DOCUMENT S/26250/ADD.1

[*Original: English*]
[*7 August 1993*]

1. In my report to the Security Council of 6 August 1993 [*S/26250*], I indicated in paragraph 16 that I would submit, as soon as possible, an addendum to the report stating the financial and administrative implications of the operation as described in paragraphs 12 and 13 of the report.

2. Should the Security Council decide to authorize the establishment of the United Nations Observer Mission in Georgia, it is estimated that the total cost for a six-month period would amount to US$ 16,195,000 gross and would consist of 88 military observers, 56 international and 46 local civilian staff. The monthly cost thereafter would amount to $1,950,000 gross. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

3. It would be my recommendation to the General Assembly, should the Security Council decide to establish the United Nations Observer Mission in Georgia, that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to a special account to be established for that purpose.

ANNEX

Cost estimates for the initial six-month period of a United Nations observer mission in Georgia

(*Thousands of United States dollars*)

Serial		*Amount*
1	Military observers	3 600
2	Civilian personnel	5 070
3	Premises, rental and maintenance	595
4	Transport operations	805
5	Air operations	2 540
6	Communications	1 780
7	Miscellaneous equipment	915
8	Miscellaneous supplies, services, freight and support costs	890
	Total	16 195

DOCUMENT S/26251

Letter dated 29 July 1993 from the President of the United Nations Compensation Commission to the President of the Security Council

[*Original: Spanish*]
[*6 August 1993*]

I have the honour to transmit herewith, for the attention of the Security Council, the following information on the tenth session of the Governing Council of the United Nations Compensation Commission, held from 26 to 28 July 1993.

The Governing Council continued its discussion on the order of priority for the payment of the different categories of claims and decided to maintain the item on its agenda for future sessions in order to consider it in the light of future developments relating to the submission of claims and the financing of the Compensation Fund. However, at its 36th plenary meeting on 28 July, the Council decided that claims in categories B and C would be processed by the secretariat in chronological order, whereas claims in category A would be processed in accordance with the criterion of proportionality, initially among the countries which submitted claims prior to 1 July 1993. Under this plan, due consideration will have to be given to claims processed during the first stage of category A, if the criterion of chronological order had been applied.

At the same plenary meeting, the Council decided to accept consolidated claims in categories A, B and C filed by the United Arab Emirates, Nigeria and Somalia after the expiry of the filing deadlines established by the Council, and asked the secretariat to begin processing those claims once it had begun processing other claims submitted within the deadlines.

In addition, in view of the difficulties experienced by some Governments in submitting on time consolidated claims in categories D, E and F, the Council authorized, on an exceptional basis, and requested the Executive Secretary to grant extensions until 1 April 1994 for claims in category E, and until 1 May 1994 for claims in category F; it also authorized an additional extension until 1 January 1994 for claims in category D, if the extension was requested prior to the expiry of the current deadlines by any Government or body responsible for submitting claims on behalf of persons not in a position to have their claims submitted by a Government.

Representatives of Egypt, India, Iraq, Kuwait, Sri Lanka and Sudan, States which are not members of the Governing Council, expressed their desire to make statements during the session and the Council invited them to do so at its 35th and 36th plenary meetings.

The next session of the Governing Council will be held from 27 September to 1 October 1994.

(*Signed*) Fernando VALENZUELA MARZO
President
Governing Council
United Nations Compensation Commission

DOCUMENT S/26253

Letter dated 5 August 1993 from the representative of Yugoslavia to the President of the Security Council

[*Original: English*]
[*6 August 1993*]

I have the honour to transmit herewith a copy of the note dated 2 August 1993 which was given to the chargé d'affaires a.i. of the Embassy of Albania at Belgrade.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia
to the United Nations

TEXT OF THE NOTE

The Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia presents its compliments to the Embassy of the

Republic of Albania and has the honour to announce that the following incidents took place on the Yugoslav-Albanian border on 18, 24 and 27 July 1993.

On 18 July, around 5.15 p.m. near border stone no. 2A/2 in the area of Ulcinj, an Albanian soldier from a three-member patrol opened fire from an automatic rifle, firing 20 to 30 shots just above the heads of the Yugoslav patrol in the territory of the Federal Republic of Yugoslavia. The fire was opened at the moment when the Yugoslav patrol caught four Albanian citizens illegally crossing the border. In addition to the Albanian patrol, a group of 20 civilians shouted and protested at the same time on the Albanian side of the border.

The incident was reported to the Albanian side.

On 24 July, around 10 a.m., eight Albanian citizens armed with hunting rifles and pistols crossed some 30 to 50 metres deep into Yugoslav territory near border stone no. C2/6 in the region of the Kosara security post near Djakovica. As the Yugoslav border patrol came along, the Albanian citizens opened fire, the Yugoslav patrol returned fire and two Albanians were wounded. As the wounded fell, fire was opened at the Yugoslav patrol from a bunker on the Albanian side of the border. Protected by the fire, the group withdrew and took its wounded. After reinforcement was called in, fire was opened at the Albanian bunker, to make it possible for the Yugoslav patrol to withdraw. At about 11 a.m. a large group of Albanian citizens gathered at the same place in Albanian territory with whom were four armed European Community observers. No fire was opened from the Albanian side on that occasion. However, at about 12 noon fire was opened from the Albanian side from the direction of border stone No. 2, to which the Yugoslav border patrol did not answer.

A meeting of a local joint commission was requested by the Yugoslav side.

On 27 July, at about 11.45 a.m., three Albanian citizens entered about 50 metres into Yugoslav territory in the area of the security post Kosara near Djakovica, to pick up berries. A Yugoslav border patrol ordered them to return to the Albanian side. As they refused to do so, the border patrol fired one shot into the air. The Albanian citizens then opened fire at the patrol. When the Yugoslav patrol fired back, they returned to Albanian territory. It is possible that one Albanian citizen was wounded. The same day at 1.15 p.m. the Albanian border patrol opened fire from the same location at the Yugoslav authorities, who did not answer to the provocation.

In all three cases the Yugoslav border authorities acted according to the rules of service.

Recalling the Yugoslav notes (no. 184/93 of 17 February 1993, no. 184/6-93 of 28 April 1993 and no. 184/8-93 of 7 June 1993) forwarded to the Embassy of the Republic of Albania in Belgrade concerning the incidents at the Yugoslav-Albanian border, the Yugoslav side lodges herewith the strongest protest over the above incidents and reiterates once again the Albanian side's obligation to take immediately all necessary measures to prevent the illegal crossing of its citizens to the territory of the Federal Republic of Yugoslavia.

The Albanian side is also warned of the serious consequences which may ensue from the opening of fire by the Albanian border guards and Albanian citizens at the Yugoslav border guards which occurred in the above three instances.

The frequent incidents at the border require an early meeting of the main Joint Yugoslav-Albanian Commission for Border Incidents, which the Albanian side has been postponing since June 1992 for unclear and unjustified reasons, regardless of numerous initiatives launched by the Yugoslav side.

DOCUMENT S/26254

Letter dated 4 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*6 August 1993*]

I have the honour to refer to Security Council resolution 849 (1993) concerning the situation in Abkhazia, the Republic of Georgia.

In pursuance of paragraph 2 of that resolution I dispatched a planning team to the conflict area on 19 July. The team returned to New York on 27 July and shortly I shall submit a report to the Council on its findings together with my conclusions and recommendations.

In the meantime, representatives of the parties to the conflict together with the Russian Federation as facilitator signed an agreement on 27 July 1993 [*S/26250, annex*], under which a cease-fire took effect on 28 July. Pursuant to paragraph 3 of resolution 849 (1993), I wish to confirm that in my view conditions are now such as to permit the immediate deployment of the United Nations observers to begin to carry out functions envisaged in the cease-fire agreement.

Pending the submission of my report to the Council in which I will make recommendations concerning their mandate, strength, deployment and other relevant details, I propose to dispatch to the conflict area as soon as possible, subject to your confirming the Council's agreement, an advance team of 5 to 10 observers.

I believe that such early deployment of United Nations Observers, which is keenly desired by the Georgian and Russian Governments and has been accepted by the Abkhaz authorities in Gudauta, can serve as a significant confidence-building measure by demonstrating the support of the international community for the cease-fire during its initial delicate stage.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26256

Letter dated 6 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*7 August 1993*]

I have the honour to submit to you the attached letter, dated 6 August 1993, from the President of the Presidency of the Republic of Bosnia and Herzegovina, Mr. Alija Izetbegovic.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 6 AUGUST 1993 FROM THE PRESIDENT OF THE PRESIDENCY OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

We continue to negotiate in good faith and with an urgency to reach a durable settlement. We are none the less concerned that progress is not being achieved in the negotiations while the situation on the ground rapidly deteriorates.

For our part, we remain committed to the peace process and seek rapid progress. And, in this context, we believe it would be helpful if the Security Council clarified certain issues critical for the success of the negotiating process. We feel it is imperative that the international status of the Republic of Bosnia and Herzegovina and that the principles that form the basis for the ongoing negotiations be left unambiguous.

We await the Security Council's response on this matter and are confident that it will be forthcoming soon in view of the critical impact it will have in promoting the prompt success of the negotiations now under way.

(*Signed*) Alija IZETBEGOVIC

DOCUMENT S/26257

Letter dated 6 August 1993 from the representative of Morocco to the President of the Security Council

[*Original: English*]
[*7 August 1993*]

On behalf of the members of the Security Council which are members of the Non-Aligned Movement (Cape Verde, Djibouti, Morocco, Pakistan and Venezuela), I have the honour to transmit herewith a statement dated 5 August 1993 expressing our views on the ongoing talks in Geneva regarding the situation in Bosnia and Herzegovina.

I would appreciate it if you would kindly have the text circulated as a document of the Security Council.

(*Signed*) M. N. BENJELLOUN-TOUIMI
Chargé d'affaires a.i.
of the Permanent Mission of Morocco
to the United Nations

TEXT OF THE STATEMENT

The Non-Aligned members of the Security Council (Cape Verde, Djibouti, Morocco, Pakistan and Venezuela) are following with keen interest the current talks in Geneva under the auspices of the Co-Chairmen of the International Conference on former Yugoslavia for a settlement of the conflict in the Republic of Bosnia and Herzegovina. It is a matter of deep concern that the proposals put forward by the Serbs and Croats seem to be considered as the only basis for a "viable settlement". Needless to say, these run counter to the principles for a political solution agreed at the London International Conference on the Former Yugoslavia on 26 August 1992 and supported by the Security Council in its statement of 2 September 1992 [*see 3111th meeting*]. The victims, who continue to pay a heavy price for the aggression directed against them, are now being required to pay the final price for a peace which seeks to legitimize the results of that aggression.

In the view of the Non-Aligned members of the Council, a just and equitable solution of the conflict in Bosnia and Herzegovina must be in conformity with the Charter of the United Nations and the principles of international law. In particular, it must be based on the full restoration of the sovereignty, territorial integrity and unity of Bosnia and Herzegovina; non-recognition of the acquisition of territory by the use of force; the reversal of the consequences of the use of force and "ethnic cleansing" and the recognition and respect for the right of all Bosnian refugees to return to their homes in safety and honour, including their right to receive compensation. We are of the firm conviction that any just and durable peace must be based on these principles.

The Non-Aligned members of the Council are also convinced that serious negotiations for a settlement of the Bosnian conflict require the establishment of a conducive environment, the minimum conditions for which are an immediate and complete cease-fire throughout Bosnia and Herzegovina and the unimpeded flow of humanitarian assistance. The reality on ground testifies to the contrary.

Motivated by these considerations, the Non-Aligned members of the Council have circulated a draft resolution for consideration of Council members. It recalls the London agreement and spells out the principles for just and equitable political settlement of the conflict. It calls for the cessation of hostilities and the free flow of humanitarian assistance. It is our hope that it would receive the unanimous support of Council members. In our view, it is imperative that the Council send forth a clear and unequivocal message that any settlement based on the formula of "peace at any price" would be unacceptable to the international community.

DOCUMENT S/26260

Letter dated 6 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*6 August 1993*]

I have the honour to convey the attached report addressed to me on 5 August 1993 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

(*Signed*) Boutros Boutros-GHALI

ANNEX

Report of the Co-Chairmen of the Steering Committee on the activities of the International Conference on the Former Yugoslavia

INTRODUCTION

1. It is almost a year since efforts began within the International Conference on the Former Yugoslavia to stop the conflict in Bosnia and Herzegovina. During that time intensive, patient, and painstaking negotiations have been held with the sides involved in the conflict to help to reconcile their positions, but the historical background to the conflict, which stretches over centuries, and an intricately interwoven ethnic make-up in Bosnia and Herzegovina have made this an exceptionally difficult and delicate task.

2. The past year's efforts have shown that the parties to the conflict are unable to make peace by themselves and even impartial intermediaries cannot always shift one or other of the sides from adopting intransigent and unreasonable positions, when they feel their vital interests are concerned. Nor can intermediaries keep them to their word. Cease-fires are entered into in the full knowledge that they are not going to be fulfilled, and other pledges broken within hours of being made.

3. On 2 May 1993, it appeared that a settlement was in sight in Athens Mr Karadzic added his signature to those of President Izetbegovic and Mr Boban

on the Vance-Owen peace plan [*S/25221, annex IV*], but by 6 May the Bosnian Serb "Assembly" in Pale had rejected the plan. By 21 May, it had become clear that the international will was lacking to continue pushing for the 10-province solution proposed under the Vance-Owen peace plan and the substantial Bosnian-Serb military roll-back that was implied. As a direct consequence of appearing to move to merely containing Bosnian-Serb military gains, the Bosnian Croats, whose relations with the Bosnian Muslims were already under strain both in the Government of Bosnia and Herzegovina and as supposed military allies, started to act to consolidate their "Herceg Bosna". Relations between the Bosnian Croats and the Bosnian Muslims deteriorated day by day. This flare-up in the fighting led to a further wave of displaced persons crossing the new front lines and more roadblocks, and put increasing strain on the ability of international agencies to deal with the dramatically deteriorating humanitarian situation. With winter not far off, the prospects for the civilian population of Bosnia and Herzegovina began to look ever more dire.

4. The revival of the concept of a confederation for Bosnia and Herzegovina by Presidents Milosevic and Tudjman occurred when the Co-Chairmen visited Belgrade and Zagreb from 9 to 11 June. The concept of a confederal solution for Bosnia and Herzegovina had first been proposed in March 1992 by Ambassador Cutileiro in Lisbon, when Lord Carrington was the European Community Peace Envoy. This proposal came even before the outbreak of war and was initially accepted by all three sides. However, President Izetbegovic withdrew his support for the proposal, and it was from then on vigorously opposed by the Bosnian Government side in the context of the International Conference on the Former Yugoslavia peace talks in Geneva.

5. In Belgrade the Serbs' initial outline map was put forward to the Co-Chairmen, consisting of a core area in central Bosnia for a Muslim-majority republic. There was no clearly defined access to the Sava in the north. In the south, the boundary ran just south of Jablanica. Access to Sarajevo was through a narrow bottleneck. The Muslim-majority republic was to have a slender finger of territory in eastern Bosnia and in the Bihac area the boundary was to be on the current line of confrontation.

6. The Co-Chairmen, after consultation with the Security Council and the European Community, attempted to clarify the Serb-Croat proposals and urge the Serbs and Croats to put forward proposals that took more account of the principles of the August 1992 London Conference, both in regard to any new Constitution, and to the size and shape of any republic in which the Muslims would be in a majority. They also emphasized the great importance of keeping as much of the Vance-Owen plan as possible in any new proposal, particularly those aspects relating to the protection of human rights and the reversal of ethnic cleansing.

7. The Co-Chairmen told the Serbs that the initial outline map would be totally unacceptable to the international community. If there was to be a new tripartite structure for the State of Bosnia and Herzegovina, the Serb and Croat sides had to be far more aware of the legitimate needs of the Muslim-majority republic. While they could not commit the international community to support this approach, the Co-Chairmen indicated to the Serb and Croat sides that, if they expected their proposals to be given serious consideration by President Izetbegovic, they would have to be reworked, and this work should be completed before they could arrange a meeting between President Izetbegovic and Presidents Milosevic, Bulatovic and Tudjman.

8. When the proposals were presented again to the Co-Chairmen on 15 and 16 June, it was an avowedly confederal solution. The Co-Chairmen advised strongly against both labelling and thinking in this way, for it would be seen as the first step towards secession. In addition, there had to be guarantees against the unilateral secession of any of the Constituent Republics. The map did, however, show some progress in extending the boundaries of a proposed Muslim-majority area towards the sea and their overall percentage of territory had been increased, but in eastern Bosnia their territory had decreased. The Co-Chairmen insisted that the three United Nations safe areas in eastern Bosnia - Srebrenica, Zepa and Gorazde - had to be retained, and that the overall percentage should not fall below 30 per cent. Progress was made, in cooperation with the Croatian Government, on guarantees for access to the port of Ploce. The Co-Chairmen also emphasized that allocation of a port area as well as access to the Sava River remained a major concern.

9. The Serb-Croat concept was explained to President Izetbegovic by Presidents Milosevic, Tudjman and Bulatovic. He listened carefully and asked for a detailed proposal that he could put before the Presidency.

10. On 23 June in Geneva the Serb and Croat sides came forward with nine constitutional principles [*S/26066, appendix I*] after detailed discussion with the Co-Chairmen. These were presented to seven members of the Presidency, who had travelled to Geneva, and who also saw the "troika" of the European Community. The Presidency came up with constitutional proposals of its own, based on a federal concept, which were presented to the Co-Chairmen on 11 July in Zagreb.

11. In the intervening period the Co-Chairmen remained in close contact with President Izetbegovic. They also had further contacts with Presidents Tudjman and Milosevic, and both Presidents agreed that any Muslim-majority republic should have at least 30 per cent of the territory of Bosnia and Herzegovina. However, a revised map presented in Belgrade on 8 July, although it had improved in some aspects, no longer included the three "safe areas" in Eastern Bosnia established under Security Council resolution 824 (1993). The Co-Chairmen warned that, if the Serb and Croat parties wanted the international community to accept their proposals, these areas had to be left in the Muslim-majority republic. They re-emphasized this point when they met Presidents Tudjman and Milosevic in Geneva on 17 July. On that occasion the two Presidents issued a statement saying that they were against the partition of Bosnia and Herzegovina, and that the only way to achieve permanent peace lay in the recognition of all the three constituent peoples.

I. THE CURRENT ROUND OF PEACE TALKS

12. It was against this background that the Co-Chairmen invited the three sides to participate in the latest round of negotiations.

13. The peace talks began on 27 July and are expected to continue on Monday, 9 August. The discussions concentrated on steps to secure a cease-fire and on ways and means of dealing with humanitarian issues, future constitutional arrangements, and the allocation of territory to the constituent entities.

14. Despite the undertakings of all three political leaders to end hostilities, the negotiations, as has been all too common, proceeded against the backdrop of continued fighting, although at a generally much reduced level. The major offensive activity throughout all but the last few days of the current negotiating period was the Bosnian Government's attack against the Bosnian Croats in central Bosnia, leading to the capture of Fojnica and of most of Gornji Vakuf. The Bosnian Serb attacks against the government forces around Sarajevo dominated the picture, started first on Zuc Hill, then on Mounts Bjelasnica and Igman. The Bosnian-Serb operations in northern Bosnia to widen their east-west corridor also continued. In southern Bosnia, the Bosnian Croats, with support from the Croatian Army, continued to build up in the general Prozor area prior to possible counter-attacks against the Bosnian government forces. Western and eastern Bosnia were generally quiet.

Cessation of hostilities and humanitarian issues

15. Following discussions on 27, 28 and 29 July, President Izetbegovic, Mr Karadzic and Mr. Boban agreed to issue immediate directives to their military commanders to implement a full cessation of hostilities. They further agreed that in order to reinforce this directive, the commanders of the three military forces should meet immediately at Sarajevo Airport under the chairmanship of the United Nations. Furthermore, the commanders should meet each day while the talks continued so as to discuss the causes of any conflict and to correct the situation. The commanders were also requested to discuss whether any modifications were needed to the military agreement contained in the Vance-Owen peace plan, which all three sides had reaffirmed.

16. The military commanders of the three sides met at Sarajevo Airport on 30 July under the auspices of the Force Commander of the United Nations Protection Force (UNPROFOR). At the end of their meeting that day, they signed an agreement providing that all forces of the three parties cease combat activities and freeze all military activities, including military movements, deployment of forces and establishment of fortifications. The agreement also provided for permitting free passage for UNPROFOR convoys and convoy escorts, and free passage for humanitarian aid convoys [*S/26233, appendix I*].

17. On 4 August, the Serb side agreed in principle to the Co-Chairmen's reiteration of the proposal for the opening up of Sarajevo. The general concept is the relief of the immediate humanitarian situation and the reversal of the strangulation of the people of Sarajevo by the opening up of selected routes to all movements of humanitarian goods, material and people. Checkpoints would need to be established to exclude any warlike goods. The Co-Chairmen put the proposal to members of the Presidency on 5 August; they agreed in principle without prejudice to their negotiating position. Both

sides agreed to instruct their military commanders to enter into immediate negotiations, within the framework of the Mixed Military Working Group, with a view to reaching an early agreement on this proposal, which would have to be staged and subject to the strict upholding of the cease-fire. After a meeting in Pale on 5 August, Lieutenant General Briquemont and Mr Karadzic issued a joint statement agreeing to the first stages in this process, to be followed up by a meeting on 6 August to consider the detail.

Constitutional agreement

18. During the discussions on constitutional issues, all sides submitted working papers, which were distributed and discussed. Taking these submissions into account, and having regard to the issues raised in the discussions, a consolidated working paper was discussed and examined in detail, with all sides participating in an open and constructive manner.

19. After intensive discussion on a number of drafts submitted by the parties, with amendments submitted by all three parties, they agreed on 30 July to a constitutional agreement for a Union of Republics of Bosnia and Herzegovina (*ibid., appendix II*) and to it forming part of an overall peace settlement.

20. In reply to a letter which President Izetbegovic sent to them on 31 July asking for clarification of chapter I, article 1, of the constitutional agreement and in particular the question of the membership in the United Nations of the Union of Republics of Bosnia and Herzegovina, the Co-Chairmen wrote as follows:

> "(*a*) Bosnia and Herzegovina is already a recognized State Member of the United Nations.
>
> "(*b*) The principles adopted at the London Conference, as well as the principles laid down by the Security Council, guarantee the sovereignty, independence and territorial integrity of Bosnia and Herzegovina as a State Member of the United Nations.
>
> "(*c*) Article 1 of the constitutional agreement, which all three parties have agreed to, states that 'the Union of Republics of Bosnia and Herzegovina will be a State Member of the United Nations'. We interpret this article in the spirit of the Charter of the United Nations, the Principles of the London Conference and the principles laid down by the Security Council and therefore confirm to you our understanding that the meaning of article 1 is that the Union of Republics of Bosnia and Herzegovina will continue as a State Member of the United Nations."

21. The Co-Chairmen subsequently suggested to the Presidency that, if it was still concerned about the issue, it should ask the Security Council to put the matter beyond doubt.

22. It should be noted that the provisions of the constitutional agreement make it legally impossible to dissolve the Union without the free consent of all three Constituent Republics.

Annexes to the constitutional agreement

23. In subsequent discussions with the parties the following annexes to the constitutional agreement were prepared and were accepted by all three sides:

Annex B: Composition and competence of the Human Rights Court

Annex C: List of human rights instruments incorporated in the constitutional agreement

Annex D: Initial appointment and functions of the Ombudsmen

Agreed arrangements concerning the constitutional agreement of the Union of Republics of Bosnia and Herzegovina

24. All three sides agreed that "the name of each Constituent Republic will be determined by the competent authorities of that Republic". Also all three sides agreed that "the map of the three Constituent Republics set out in part I of annex A to the constitutional agreement will be referred to the Boundary Commission established in accordance with chapter II, article 1 (*b*), of that agreement, and the Commission shall ensure that the territory of the Republic marked as No. 1 on the map shall not be less than 30 per cent of the entire territory of the Union of Republics of Bosnia and Herzegovina" (see appendix II).

Access authority

25. During the discussions, the Co-Chairmen stressed the vital importance of ensuring freedom of movement throughout the country. They proposed establishing an access authority, as had been foreseen under the Vance-Owen peace plan, with access authority throughways to ensure access in sensitive areas of the country after UNPROFOR withdraws. The roads designated as throughways are set out in appendix II. They also stressed that the "blue route" concept in the Agreement for Peace in the Vance-Owen plan would also be maintained and this would ensure, within a few days, access through Sarajevo city and the surrounding areas out to key cities. Immediately UNPROFOR started to implement the military plan, there would be guaranteed road access along the designated "blue routes": Sarajevo-Ilidza-Hadzici-Tarcin-Jablanica-Mostar, Sarajevo-Rajlovac-Ilijas-Visoko-Zenica, Sarajevo-Bentbasa-Mokro-Sokolac-Vlasenica-Zvornik.

26. The railway and road from Ploce to Doboj which, after it crosses the Croatian border, follows the route Mostar-Jablanica-Sarajevo-Zenica-Doboj, would criss-cross all three of the proposed Constituent Republics. For this reason, the Co-Chairmen argued strongly that it should be run by the access authority and this too was agreed by all sides.

27. It was suggested by the Bosnian Serbs that, during the time that UNPROFOR was present in the country, a number of bypass roads could be built to give guaranteed access within the territory of each Constituent Republic, if they believed that this was necessary.

Access of Bosnia and Herzegovina to the sea

28. The Co-Chairmen considered this question of key importance and the participation of President Tudjman in the peace talks facilitated the negotiation between the Republic of Croatia and the three Bosnian parties of a preliminary agreement for implementing the 1965 Convention on Transit Trade of Land-Locked States in order to secure preferential access for the Union of Republics of Bosnia and Herzegovina to two Croatian ports on the Adriatic: Ploce and Rijeka. The draft agreement (see appendix IV) would in return provide Croatia with designated road and rail routes from the northern to the southern part of its territory through that of Bosnia and Herzegovina. The Co-Chairmen believe that this agreement will greatly benefit the economies of both States, and the draft has been supported by all three sides.

Military aspects of implementing a peaceful settlement

29. During the discussions, the three sides reaffirmed their acceptance of the Agreement for peace in Bosnia and Herzegovina, which deals with the military aspects of implementing a peaceful settlement for Bosnia and Herzegovina and further agreed that all necessary updating of the document would be undertaken by the Mixed Military Working Group under the chairmanship of UNPROFOR. This process is now under way in Sarajevo (see appendix III).

Territorial arrangements
(see annex 4 to the constitutional agreement)

30. Once the Bosnian Presidency had agreed in principle to examine a possible three-republic structure for Bosnia and Herzegovina, the Co-Chairmen pursued the approach they had consistently taken through the weeks of clarification talks. Emphasizing that, while the maps were the responsibility of the parties, any solution based on three republics was inevitably going to be more ethnically based than that in the Vance-Owen peace plan. Yet other crucial factors had to be taken into account, including communications links, geography and economic viability. They repeatedly stressed, however, that the Muslim-majority republic should have at least 30 per cent of the territory. This commitment was agreed by all three sides.

31. A series of intense and detailed bilateral and trilateral talks were held, during which the parties set out their positions. The Serb and Croat sides repeatedly referred to the fact that the Muslim-majority republic would contain most of the major population centres of Bosnia and Herzegovina, and also the majority of the industrial centres and natural resources, and that this justified the Serb-majority republic having a higher percentage of the territory than envisaged in the Vance-Owen peace plan. Nevertheless, the Serbs claimed that with 30 per cent guaranteed for the Muslim-majority republic, they would be accepting a major roll-back of about 18 per cent.

32. A great deal of progress was made during the bilateral and trilateral talks when all parties engaged fully in the negotiations. After President Izetbegovic's temporary withdrawal from the negotiations because of the

continued fighting, especially around Sarajevo, the Co-Chairmen did their best to make further progress and in particular to persuade the Serb and Croat sides to cede more territory, and clarify points of contention, in bilateral talks.

33. *Brcko.* A detailed Serb proposal emerged in discussions for dealing with the question of access to Brcko. A fly-over complex should be constructed on the western outskirts of Brcko, where the Tuzla-Brcko road crosses the Tuzla-Brcko railway line, involving the Tuzla-Brcko road, the Tuzla-Brcko railway line and a new road that will run from west to east. From the west side of the fly-over complex, the boundary of the Muslim-majority republic would run west along a line north of the Tuzla-Brcko railway, and run south-east to the Brcka river and from there south of the Tuzla road, skirting Brod and running east of Brcko. To the north-east of this fly-over complex, the boundary of the Muslim-majority republic would run to the north-west of the town, to a point east of the junction of the Gorice-Brcko and Donji Rahic-Brcko roads and from there to the Sava River, east of the settlement of Grbavica. It would run north-east along the Brcka river, which would form the eastern boundary. The existing railway line running from the fly-over complex to the Sava in the territory of the Serb-majority republic would come under the access authority. The access authority would also be responsible for rebuilding the destroyed railway bridge across the Sava. The Presidency is considering its attitude to this proposal as part of the overall peace settlement.

34. *Eastern Bosnia.* President Izetbegovic pressed hard for a large area of territory in this area, going much wider than the three safe areas of Gorazde, Zepa, and Srebrenica. The Co-Chairmen had intense negotiations with the Serb side, which initially was reluctant to cede any territory at all. The Co-Chairmen managed to move them some way from their initial offer of giving the three special autonomous status within the Serb-majority republic. Eventually the Serb side conceded that Gorazde should be linked territorially to the central area of the Muslim-majority republic. An Access Authority throughway would link it from Sarajevo to just above Trnovo, then through Cajnice to the Montenegrin border and the Sanjak, as had been proposed in the Vance-Owen peace plan. Zepa and Srebrenica would be linked to each other and the territory around them enlarged by 100 per cent. They would be linked to the Muslim-majority republic by an Access Authority throughway to Kakanj. The Presidency is considering its attitude to this proposal as part of an overall peace settlement.

35. *Bihac pocket.* The Co-Chairmen urged the Serb side to extend the boundary of the Bihac area eastward from the existing front line. They recalled that this was an area which stirred up strong emotions in the international community because of the widely documented ethnic cleansing that had taken place in such cities as Prijedor, Sanski Most and Bosanski Novi. President Milosevic backed the Co-Chairmen's requests for the boundaries of this area to go east of the Una river, and some concessions were made, but the basic Serb position was that this territory had been traditionally Serb prior to massacres during the Second World War. Guaranteed access from Bihac to Rijeka was agreed, as was an Access Authority throughway to Travnik and eastern Herzegovina. The Presidency is considering its attitude to this proposal as part of an overall peace settlement.

36. *Posavina and eastern Herzegovina.* The Serb and Croat sides are still continuing to negotiate on the exact boundary between their republics in the north at Posavina along the Sava, and in the south above Dubrovnik.

37. *Central Bosnia.* The boundary between the Croat and Muslim-majority republics in this region, where fighting was intense while negotiations were continuing, was an area of great contention. The atmosphere for negotiations was not improved by the offensive the Bosnian Government army launched in this region. A Serb-Croat proposal emerged for the boundary to run along the Lasva River from Travnik to the east. The Presidency is considering its attitude to central Bosnia and is hoping to have bilateral talks with the Croat side before the talks resume in Geneva.

38. *Sarajevo.* This was the most contentious issue during discussions on the future map, with positions deeply entrenched. The passions aroused are intense. The local loyalties, mainly Muslim and Serb, though also Croat, of those living in the city itself and in the surrounding settlements are fierce, and have been heightened by more than a year of fighting. For any side, reaching a compromise by taking a decision to give up territory that has been held by their people through these months is an intensely difficult and emotive issue.

39. The Serbs proposed that all of the inner city of Sarajevo would be in the Muslim-majority republic, and to make this possible, they are prepared to leave the area of Grbavica, which they currently hold. They believe, however, that they need to compensate for this by having the housing estate at Nedarici, which they hold, and the whole of the Dobrinja housing estate, the centre of which the Bosnian Government holds, in the Serb-majority republic.

40. Both the Muslim-majority republic and the Serb-majority republic would have access to the airport, with the boundary between the two republics running down the centre of the runway. The Muslim-majority republic's access to the airport would be through Stup, to the north of the airport. The Serb side would have access to Ilidza, Ilijas and Hadzici, all areas which they wish to retain, from the south of the airport. Road access from Pale to the airport would initially be via a throughway running along the transit route through the south of the city. The Serbs intend to build a bypass as soon as possible.

41. The Serbs propose that, in order to provide guaranteed access to the city from the north, Vogosca, which is currently held by the Serbs, and the area around it would become part of the Muslim-majority republic. Of the settlements surrounding Sarajevo, the Serb-held areas of Ilijas, Rajlovac and Ilidza would form part of the Serb-majority republic. In order to link the Serb-held areas of Ilidza and Lukavica, which have a majority Serb population, the settlements of Butmir, currently held by the Bosnian Government, and Hrasnica, parts of which are held by the Government, would come within the Serb-majority republic.

42. The railways running into the city from the north and south would cross over the proposed boundaries a number of times, and since it is in the interests of all parties to allow the free flow of traffic on them, they would be under the Access Authority.

43. The Serb side would undertake to construct a bypass on the territory of the Muslim-majority republic linking the main Mostar road to the Zenica road and would be responsible for building another bypass linking the Zenica road to the main Tuzla-Sarajevo road east of Ilijas.

44. It has been agreed by all sides that the main road running south from Sarajevo to just above Trnovo would be an Access Authority throughway and also that Sarajevo airport would come under the Access Authority.

45. For President Izetbegovic, and many among the Presidency and the opposition leaders who attended the talks in Geneva, the very idea of dividing the area surrounding Sarajevo from the city itself in any way is inconceivable. They believe that having fought for the idea of a united country, they cannot live with a solution which, regardless of what happens in the rest of the country, divides their capital city. They sense that they have world opinion on their side on this issue. On the other hand, the Serb side is equally adamant that Sarajevo is surrounded by areas that have been traditionally Serb for centuries, and which throughout the war have remained in Serb hands, and that these areas should be in the Serb-majority republic. They intend that the capital of the Serb-majority republic would be built around the Serb settlement of Ilidza.

46. This dilemma over Sarajevo is not new to the Co-Chairmen. During these last 10 days, many of the concepts that had previously come up during the negotiations on the Vance-Owen peace plan were gone over yet again in considerable detail. These included all of the parties sharing the administration of the whole of Sarajevo (the 3-3-3 concept developed during the Vance-Owen negotiations), a small capital building area coming under joint administration and other similar schemes on which agreement is unlikely to be reached.

47. The Serb proposal that eventually emerged after long and difficult discussions with the Co-Chairmen, who warned them that it would present great difficulties to the other parties, was not acceptable to President Izetbegovic and a majority of the Presidency. It raised a number of problems, above and beyond the fundamental criticism of splitting the valley in which Sarajevo city itself nestles between the mountains. They had doubts over access from the city to the rest of the Muslim-majority republic, which was vital, although the Serb side had reluctantly agreed to give up the Vogosca area. They were also concerned about the Rajlovac area, which overlooks the road and rail access routes running to and from the city centre.

Comment

48. Under these circumstances, the Co-Chairmen are driven to the belief that it may not be possible to negotiate a permanent solution in Sarajevo for some time. Time may be needed for the wounds of the war to heal; time to restore the damage done to communications and buildings in the Serb, Muslim and Croat areas; time during which the three republics will learn to live and cooperate together and for the citizens of Bosnia and Herzegovina to rediscover mutual respect and tolerance.

49. Sarajevo is already designated a United Nations safe area. The Co-Chairmen believe that the Security Council and the international community will have to consider whether a temporary solution might have to be found, which may have to last one or more years. During this time it could be easier for both sides to move towards a permanent settlement, compatible with the constitutional agreement that has been a major product of the present period of negotiations.

II. IMPLEMENTATION

50. The Co-Chairmen have proceeded on the basis that, if agreement was reached on the concepts outlined above, from the start of implementation of the agreement for peace in Bosnia and Herzegovina, the force established or charged by the United Nations with assisting in implementing an agreement (the Implementation Force) would, after the relevant Security Council resolutions, begin implementing all key aspects of the Agreement for peace in Bosnia and Herzegovina. It has been envisaged that the Implementation Force would have its responsibilities phased out and withdraw once free and fair elections were held, which would have to take place no later than two years after the signature of the agreement relating to Bosnia and Herzegovina. In respect of those areas designated as "safe areas" under resolution 824 (1993), apart from Sarajevo, which is dealt with above, and Tuzla and Bihac which would not be as vulnerable as the others, the United Nations has said that it would give special protection as a temporary measure. It is possible that the United Nations Security Council might wish to continue to protect Srebrenica, Zepa and Gorazde for a period longer than after the elections, but that is a judgement which it is unlikely to make at this moment.

51. The Implementation Force would have responsibility for opening up and guaranteeing key communications links, as outlined above. It would only be following the withdrawal of the Implementation Force that sole responsibility for ensuring access and freedom of movement along roads and railways would fall to the Access Authority.

52. The Implementation Force would begin overseeing the separation of forces and the withdrawal of heavy weapons, which would facilitate the reopening of routes and the free movement of people. It would then move on to progressive demilitarization of the entire country.

53. During the implementation period, the civil elements of the Implementation Force would supervise the various civil engineering projects needed to effect the longer-term access arrangements, in particular in Brcko and Sarajevo. In the early months following a settlement, many temporary solutions would have to be adopted by local agreement. The Implementation Force would assist in devising and implementing such solutions prior to the realization of permanent solutions.

54. The Co-Chairmen cannot stress enough to the Security Council and the European Community and the rest of the international community the vital need for an effective Implementation Force. The early dispatch of a credible force will itself ensure the greatest chance of achieving the objectives of the peace settlement including the reversal of ethnic cleansing and the monitoring of human rights. The world has watched in dismay and despair as the horror has unfolded in Bosnia and Herzegovina. Nevertheless the humanitarian effort over the last winter was immense and broadly successful. Peace now is imperative, but to ensure that it is not peace at any price, the world must pay the price of a serious and successful implementation period.

APPENDIX I

Constitutional agreement of the Union of Republics of Bosnia and Herzegovina

[*For the text, see S/26233, appendix II, in the present* Supplement]

Annex A

I. THE BOUNDARIES OF THE CONSTITUENT REPUBLICS

The boundaries of the Constituent Republics shall be as indicated on the map below, subject to any changes that may be made in accordance with chapter II, article 1 (*b*), of the constitutional agreement.

II. AREAS VESTED IN THE UNION OF REPUBLICS OF BOSNIA AND HERZEGOVINA

1. The area defined by the present *opstina* of Neum and that part of the present *opstina* of Stolac that lies below the southern border of the Constituent Republic that extends up through Sarajevo to Brcko on the Sava.

2. That part of the railway line from Tuzla that passes across Brcko to the railway bridge on the Sava.

3. Those public buildings in the city of Sarajevo and in the surrounding area that are designated by the Presidency to be used by the Union Parliament, the Council of Ministers, the Supreme, Constitutional and Human Rights Courts and the administrative institutions of the Union.

Annex B

Composition and competence of the Human Rights Court

Article 1

The Human Rights Court of Bosnia and Herzegovina (the "Court") shall operate within the framework of the mechanism established by the Council of Europe by resolution 93 (6) of its Committee of Ministers, as that resolution may be amended from time to time.

Article 2

(*a*) The Court shall initially consist of nine judges.

(*b*) The Presidency shall appoint four of the judges of the Court, one from each recognized group: Muslims, Serbs, Croats and others. These judges shall enjoy tenure and shall not require reappointment.

(*c*) The Committee of Ministers of the Council of Europe shall appoint five of the judges of the Court in accordance with the above-cited resolution. These judges may not be citizens of the Republic of Bosnia and Herzegovina nor of neighbouring States.

(*d*) If the Court concludes that its business requires the participation of more judges to avoid undue delays in the disposition of cases, the Government shall make arrangements with the Council of Europe for the appointment of additional judges, in accordance with the above-specified proportion of national and foreign judges.

Article 3

(*a*) The Court shall regulate its own procedures and its organization.

(*b*) Each panel of the Court is to have the composition specified for the Court in article 2, paragraphs (*b*) and (*c*), of the present annex.

(*c*) The equality of the parties shall be ensured in every proceeding.

(*d*) The Court shall allow written and oral pleadings in every proceeding pursuant to articles 5 to 7 of the present annex.

Article 4

The competence of the Human Rights Court shall extend to any question concerning a constitutional or other legal provision relating to human rights or fundamental freedoms or to any of the instruments listed in annex C to the constitutional agreement.

Article 5

Any party to a proceeding in which another court of the Union of Republics of Bosnia and Herzegovina or of any of its Constituent Republics has pronounced a judgement that is not subject to any other appeal (for a reason other than the lapse of a time-limit for which the moving party is responsible), may appeal such judgement to the Court on the basis of any question within its competence. The decision of the Court on such an appeal shall be final and binding.

Article 6

(*a*) An appeal may also be taken to the Court if a proceeding is pending for what it considers an unduly long time in any other court of the Union of Republics of Bosnia and Herzegovina or of any of its Constituent Republics

(*b*) The Court shall decide whether to accept such an appeal after a preliminary consideration of whether the proceeding in the other court had been pending too long and whether the subject of the appeal is within its competence.

Article 7

Any appellate court of the Union of Republics of Bosnia and Herzegovina or of any of its Constituent Republics may, at the request of any party to a proceeding pending before it or on its own motion in relation to such a proceeding, address to the Court a question arising out of the proceeding if the question relates to any matter within the competence of the Court. The response of the Court is binding on the requesting court.

Article 8

The Court shall continue to function until the Union of Republics of Bosnia and Herzegovina becomes a party to the European Convention on Human Rights and Fundamental Freedoms, unless the Council of Europe mechanism referred to in article 1 of the present annex ceases at some earlier date to be in force in respect of the Union of Republics of Bosnia and Herzegovina.

Annex C

Human rights instruments incorporated in the constitutional agreement

A. *General human rights, especially civil and political rights*

1. The 1948 Convention on the Prevention and Punishment of the Crime of Genocide
2. The 1948 Universal Declaration of Human Rights, arts. 1-21
3. The four 1949 Geneva Conventions on the laws of war, and the two Geneva Protocols thereto of 1977
4. The 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms, and Protocols 1 to 10 thereto
5. The 1951 Convention Relating to the Status of Refugees and the 1966 Protocol thereto
6. The 1965 International Convention on the Elimination of All Forms of Racial Discrimination
7. The 1966 International Covenant on Civil and Political Rights and the Optional Protocols thereto of 1966 and 1989
8. The 1979 Convention on the Elimination of All Forms of Discrimination against Women
9. The 1981 [United Nations] Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief
10. The 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
11. The 1987 European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
12. The 1989 Convention on the Rights of the Child

B. *Protection of groups and minorities*

13. The 1990 Council of Europe Parliamentary Assembly Recommendation on the Rights of Minorities, paras. 10-13
14. The 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

C. *Economic, social and cultural rights*

15. The 1948 Universal Declaration of Human Rights, arts. 22-27
16. The 1961 European Social Charter and the Protocol I thereto
17. The 1966 International Covenant on Economic, Social and Cultural Rights

D. *Citizenship and nationality*

18. The 1957 Convention on the Nationality of Married Women
19. The 1961 Convention on the Reduction of Statelessness

Annex D

Initial appointment and functions of the Ombudsmen

I. GENERAL PROVISIONS

Article 1

(*a*) The Ombudsmen are to protect human dignity, rights and liberties as provided in the Constitutional Agreement and in the instruments listed in annex C thereto, and in the constitutions and legislation of the Constituent Republics, and in particular shall act to reverse the consequences of the violations of these rights and liberties and especially of ethnic cleansing.

(*b*) In carrying out their functions, the Ombudsmen must be guided by law and by the principles of morality and justice.

Article 2

Each Ombudsman shall exercise his functions individually, except as otherwise provided herein. Two or more Ombudsmen may cooperate in carrying out any of their functions.

Article 3

The Ombudsmen are independent in carrying out their functions and no governmental organ or any other person may interfere with such functions.

Article 4

(*a*) There shall be four Ombudsmen, one from each recognized group: Muslims, Serbs, Croats, and others. Until the Parliament adopts a law relating to the appointment and functioning of the Ombudsmen, these shall be appointed and may be removed by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, after consultations with the members of the Presidency.

(*b*) Each of the Ombudsmen shall, with the approval of the Presidency, appoint one or more deputies.

(*c*) The terms of service of the Ombudsmen and their deputies shall be the same respectively as those of the President and of judges of the Supreme Court.

(*d*) Each Ombudsman shall also appoint additional staff within the framework of the budget approved therefor by the Parliament or initially by the Presidency.

II. THE COMPETENCE AND THE POWERS OF THE OMBUDSMEN

Article 5

The Ombudsmen may follow the activities of any common institution of the Union of Republics of Bosnia and Herzegovina or of any organ of a

Constituent Republic or of governmental units subordinate thereto, as well as of any other institution or person by whom human dignity, rights or liberties may be negated or ethnic cleansing may be accomplished or its effects preserved.

Article 6

In the course of carrying out his functions, an Ombudsman may examine all official documents, including secret ones, as well as judicial and administrative files, and require any person (including any official) to cooperate, in particular by transmitting relevant information, documents and files. Ombudsmen may also attend court and administrative hearings, as well as meetings of other organs and enter and inspect any place where persons deprived of their liberty are confined or work.

Article 7

The Ombudsmen, their deputies and any other person who carries out inquiries pursuant to article 6 above, are required to maintain the secrecy of whatever they learn in the course of such inquiry, and must treat all documents and files in accordance with the applicable rules.

III. REPORTS OF THE OMBUDSMEN

Article 8

(*a*) Each Ombudsman shall present an annual report to the Presidency of the Union of Republics of Bosnia and Herzegovina, to the Presidents of each of the Constituent Republics and to the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

(*b*) An Ombudsman may also present at any time special reports to any competent authorities.

IV. REGULATIONS OF THE OMBUDSMEN

Article 9

Each Ombudsman shall draw up, or the Ombudsmen may collectively draw up, regulations that specify their organization and the method of exercising their functions, which shall be promulgated in the *Official Journal of the Union of Republics of Bosnia and Herzegovina*, as well as in the *Official Journals* of the Constituent Republics. These regulations may be changed by a law adopted by the Parliament.

APPENDIX II

Agreed arrangements concerning the constitutional agreement of the Union of Republics of Bosnia and Herzegovina

1. The name of each Constituent Republic will be determined by the competent authorities of that Republic.

2. The map of the three Constituent Republics set out in part I of annex A to the constitutional agreement will be referred to the Boundary Commission established in accordance with chapter II, article 1 (*b*), of that agreement, and the Commission shall ensure that the territory of the Republic marked as No. 1 on the map shall not be less than 30 per cent of the entire territory of the Union of Republics of Bosnia and Herzegovina.

3. Access authority

(*a*) Pursuant to chapter III, article 5, of the constitutional agreement, there shall be established, immediately on the entry into force of that agreement, an access authority, charged with assisting in the implementation of chapter II, article 1 (*d*) of the agreement requiring free movement of persons, goods and services throughout the territory of the Union of Republics of Bosnia and Herzegovina.

(*b*) The purpose of the authority will be to guarantee full freedom of movement in certain essential areas between and within the Constituent Republics, and also to and from these Republics to the Republic of Croatia and the Republic of Serbia.

(*c*) The members of the authority shall be three persons appointed by the Presidency, one from each Constituent Republic. Its headquarters shall be in or around the city of Sarajevo.

(*d*) Even though the authority is to be in operation as soon as possible following the entry into force of the constitutional agreement, inevitably there will be an initial period when the United Nations Protection Force will have sole responsibility for freedom of movement along designated "blue routes" around Sarajevo and "throughways" ensuring freedom of movement along the key roads and railway lines throughout the country. Thereafter there will be a period of overlapping responsibility of the United Nations Protection Force and the Authority, during which the Force's responsibility for the authority's designated routes will be phased out, and these responsibilities assumed by the traffic police of the Authority. This transfer of responsibility requires the agreement of all members of the Authority. The traffic police will be seconded to the Authority from the police forces of the Constituent Republics.

(*e*) The following shall be the routes to be controlled by the access authority:
- (i) The road and railway line from Metkovic on the border of the Republic of Croatia to the centre of the city of Sarajevo.
- (ii) The railway from the city of Sarajevo to Visoko and Doboj.
- (iii) The railway through Brcko to the bridge across the Sava.
- (iv) The road from Bihac to Jajce and Travnik.
- (v) The road from Nevisinje to Mostar airport.
- (vi) The road from Srebrenica to Kladanj.
- (vii) The road from Gorazde through Cajnice to the border.
- (viii) Sarajevo airport.
- (ix) The so-called "Transit Road" through the south of the city of Sarajevo.
- (x) The road between Sarajevo and the crossing point north of Trnovo which gives access to Gorazde.
- (xi) The road between Bosanski Brod (via Derventa, Doboj, Zenica) and Sarajevo.
- (xii) The road from the border of the Republic of Croatia near Velika Kladusa (via Cazin, Bihac, Kljuc, Jajce, Donji Vakuf) to Mostar.
- (xiii) The road between Donji Vakuf (via Travnik) and Zenica.

APPENDIX III

Agreement on the termination of the conflict

The Parties reaffirm their acceptance of the Agreement for peace in Bosnia and Herzegovina [*S/25221, annex IV*]. The Mixed Military Working Group that had been established by the International Conference on the Former Yugoslavia shall, under the chairmanship of the United Nations Protection Force, update that Agreement and make any necessary amendments, in particular in relation to the Constitutional Agreement. Any new agreement that is signed by representatives of the Parties shall, to the extent that it so provides, replace and supersede the preceding document.

APPENDIX IV

Preliminary Agreement between the Republic of Croatia and the Parties to the Constitutional Agreement establishing the Union of Republics of Bosnia and Herzegovina for implementing the 1965 Convention on Transit Trade of Land-Locked States

The Republic of Croatia

and

the Parties to the Constitutional Agreement establishing the Union of Republics of Bosnia and Herzegovina

Considering that, as successors to the Socialist Federal Republic of Yugoslavia which had been party to the Convention on Transit Trade of Land-Locked States concluded in New York on 8 July 1965 (hereinafter the "Convention"), the Republic of Croatia and the Union of Republics of Bosnia and Herzegovina should apply between them the provisions of the Convention,

Further considering that the Union of Republics of Bosnia and Herzegovina is to be considered a "land-locked State" within the meaning of that Convention and that with respect to Bosnia and Herzegovina the Republic of Croatia is a "transit State" within the meaning of the Convention,

Desiring to conclude an agreement, on a basis of reciprocity - in accordance with article 3 (1) (*a*) of the Convention on the High Seas quoted in the preamble to the Transit Trade Convention and with article 15 of that Convention - to establish, as foreseen in paragraph 2 of article 2 of the Convention, the rules governing traffic in transit and the use of means of transport passing across Croatian territory between the territory of the Union of Republics of Bosnia and Herzegovina and the Adriatic Sea, and when passing across territory of the Union of Republics of Bosnia and Herzegovina in transit between places of entry and exit which are both on Croatian territory, as well as to regulate other matters foreseen in the Convention,

HEREBY AGREE AS FOLLOWS:

Article 1

(*a*) Freedom of transit under the terms of the present Preliminary Agreement shall be granted to both Parties on the basis of reciprocity.

(*b*) The Croatian ports of Ploce and Rijeka are designated as those to which the Union of Republics of Bosnia and Herzegovina is to have access, as foreseen in the Convention, and the routes, by road and as appropriate by rail, between Ploce and Sarajevo and between Rijeka and Bihac are the ones as to which special rules are to be adopted.

(*c*) The roads on the territory of the Union of Republics of Bosnia and Herzegovina:

(i) Between the Croatian border near Velika Kladusa (via Cazin, Bihac, Kljuc, Jajce, Donji Vakuf, Bugonjo, Jablanica and Mostar) and the Croatian border on the south, as well as the road between Donji Vakuf (via Travnik) and Zenica where this road links with the road under (ii) below

(ii) Between Bosanski Brod (via Dervanta, Doboj, Zenica, Sarajevo and Mostar) and the Croatian border on the south

shall be the ones to which the freedom of transit, in accordance with the Convention, shall be granted to the Republic of Croatia.

(*d*) The same freedom of transit shall be granted to the Republic of Croatia on the so-called "Una railway line" on the territory of the Union of Republics of Bosnia and Herzegovina between Bosanski Novi (via Bihac) and the Croatian border on the south in the direction of Knin.

(*e*) The reference to specific ports of Croatia and the roads and the railway line within the Union of Republics of Bosnia and Herzegovina, and specific points of entry from Croatia and the Union of Republics of Bosnia and Herzegovina and from Bosnia and Herzegovina to Croatia, are not intended to exclude the facilitation by both States of transit trade through other ports or points of entry.

Article 2

The parties shall immediately start negotiating, with a view to concluding by ______________ 1993, an agreement relating to all aspects of the implementation of the Convention and this Preliminary Agreement, covering in particular the following subjects:

1. Specification of the primary routes, by road as well as by rail, from the ports to the cities specified in article 1.
2. Rules governing the means of transport over the routes and the railroad specified in article 1 (art. 2 (2) of the Convention).
3. Facilities existing, or to be built, within the specified ports that are to be specially dedicated to traffic of the Union of Republics of Bosnia and Herzegovina might be permitted to operate and develop with the consent of the Republic of Croatia.
4. Possible imposition of special transit dues, tariffs or charges (arts. 3 and 4 of the Convention);
5. Special customs and other measures to facilitate transit trade (art. 5 of the Convention).
6. Conditions of storage of goods in transit (art. 6 of the Convention).
7. Possible establishment of free zones in the designated ports (art. 8 of the Convention).
8. Exceptions on grounds of public health, security and protection of intellectual property (art. 11 of the Convention).
9. Exceptions in case of emergency (art. 12 of the Convention).
10. Application of the Agreement in time of war (art. 13 of the Convention).
11. Settlement of disputes pursuant to article 16 of the Convention.

Article 3

Pending the conclusion of the agreement referred to in article 2 above, the Republic of Croatia and the Union of Republics of Bosnia and Herzegovina shall facilitate, as far as it is possible, their mutual transit trade, as defined in the present Agreement.

DONE this ____ day of August 1993, at Geneva, in three copies, each in the English, Croatian and Serbian languages, which shall be equally authentic.

FOR THE REPUBLIC OF CROATIA	FOR THE PARTIES TO THE CONSTITUTIONAL AGREEMENT ESTABLISHING THE UNION OF REPUBLICS OF BOSNIA AND HERZEGOVINA.

Witnessed:

Thorvald STOLTENBERG	Lord David OWEN

DOCUMENT S/26262*

Letter dated 6 August 1993 from the representative of the Russian Federation to the Secretary-General

[*Original: Russian*]
[*6 August 1993*]

I have the honour to transmit herewith the text of a statement dated 4 August 1993 by the Government of the Russian Federation concerning nuclear weapons in Ukraine.

I should be grateful if you would have the text of this letter distributed as an official document of the General Assembly and of the Security Council.

(*Signed*) Y. VORONTSOV
Permanent Representative
of the Russian Federation
to the United Nations

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* Circulated under the double symbol A/48/300-S/26262.

TEXT OF THE STATEMENT

Kiev recently took a number of steps to establish control over the nuclear weapons situated in Ukrainian territory. On 2 July 1993 the Ukrainian parliament endorsed a document entitled "Basic trends in the foreign policy of Ukraine", in which Ukraine declares itself as having ownership of those weapons. This act of parliament was supported in subsequent public utterances by the Ukrainian leadership. The Ukrainian Ministry of Defence adopted a decision to incorporate the troops responsible for the storage and use of nuclear munitions into the 43rd Rocket Army, which is under its command. Ukraine thereby establishes direct control over nuclear weapons.

In this connection, the Government of the Russian Federation finds it necessary to state the following.

Such a course of action by Kiev, which is a matter of concern to the world, will have extremely serious consequences for international stability and security and for the entire system of international relations.

By declaring itself the possessor of nuclear weapons, Ukraine is violating the international commitments undertaken by it with regard to its non-nuclear status, and thereby posing an open challenge to international law and order and sowing the seeds of legal nihilism in international relations.

Kiev is directly violating a number of agreements concluded under the auspices of the Commonwealth of Independent States, including the decision taken by the Commonwealth heads of State on 6 July 1992 under which, of the States successors to the former USSR, only the Russian Federation shall possess nuclear weapons.

Ukraine is also violating the Lisbon Protocol to the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I), under which it undertook as a non-nuclear-weapon State to accede at the earliest possible date to the Treaty on the Non-Proliferation of Nuclear Weapons. In a written declaration made by Ukraine at the time of signing that Protocol, it stated that "the right to possess and the burden of possessing, the nuclear weapons belonging to the former USSR, with the explicit consent of Ukraine and all the other States successors to the former USSR, have been reserved exclusively for the Russian Federation".

Kiev's course of action also does not tally with the commitment undertaken by Ukraine with regard to the withdrawal of nuclear weapons from its territory so that they can be dismantled and destroyed by the end of 1994.

The existing regime for the non-proliferation of nuclear weapons based on the 1968 Treaty is being undermined, and that very Treaty, the fate of which will be determined at the conference in 1995, is in jeopardy. This is setting a dangerous precedent which may be exploited by countries on the threshold of possessing nuclear weapons.

The results of many years of effort by the international community to achieve nuclear disarmament have been torpedoed, and especially the START I and START II Treaties.

Since Ukraine does not possess the appropriate physical, technical and technological facilities, its assumption of control over nuclear weapons significantly heightens the risk relating to nuclear and environmental security, the entire responsibility for which lies unquestionably with Ukraine.

The Russian Federation, as the sole successor to the USSR in respect of the possession of nuclear weapons, and as the depositary of the Treaty on the Non-Proliferation of Nuclear Weapons, cannot recognize as legitimate any claims or actions which run athwart international understandings concerning the preservation and strengthening of the regime for the non-proliferation of nuclear weapons. We call on Ukraine to take all measures to ensure strict compliance with its non-nuclear status as provided for in international agreements, and to review the above-mentioned decisions by the parliament and Ministry of Defence of Ukraine for establishing control over nuclear weapons.

At the same time, the Russian Federation expresses its readiness to continue to cooperate with Ukraine in ensuring the physical and environmental security of nuclear weapons on the basis of the provisions contained in the message dated 30 April 1993 from the President of the Russian Federation, B. N. Yeltsin, addressed to the President of Ukraine.

DOCUMENT S/26264

Letter dated 6 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*6 August 1993*]

I have the honour to refer to Security Council resolution 849 (1993) of 9 July 1993 which, *inter alia*, stresses the importance the Council attaches to the implementation of a cease-fire and a peace process with the effective involvement of the United Nations. To this end, the Council requested me to send my Special Envoy for Georgia, Ambassador Edouard Brunner, to the region to assist in reaching an agreement on the implementation of the cease-fire.

A cease-fire agreement was signed on 27 July 1993 [*S/26250, annex I*] in Sochi by the Georgian and Abkhaz sides with the assistance of the Deputy Foreign Minister of the Russian Federation, Mr. Boris Pastukhov. My Special Envoy arrived in the region on 28 July, four hours after the cease-fire had entered into force. He stayed in the region until 31 July and had discussions with both parties to the conflict as well as with officials from the Russian Federation. He held further discussions with Mr. Pastukhov and other interlocutors in Moscow on 3 August.

My Special Envoy's consultations focused on paragraph 9 of the cease-fire agreement which provides for all parties to the conflict to immediately resume, under United Nations auspices and with the cooperation of the Russian Federation, negotiations towards preparing an agreement on the comprehensive settlement of the conflict in Abkhazia.

The Georgian Head of State, Mr. Eduard Shevardnadze, was strongly in favour of the holding of a first round of negotiations between the two parties to the conflict in Abkhazia and suggested Geneva as the venue. The Abkhaz authorities, led by Mr. Vladislav Ardzinba, also supported a first round of negotiations in Geneva.

The Georgian and Abkhaz sides, as well as Deputy Minister Pastukhov, agreed that this process should start as soon as possible under United Nations auspices and with the Russian Federation acting as facilitator. However, with regard to the specific date and venue, Mr. Pastukhov preferred to wait and see how the cease-fire was faring before taking a position.

I welcome the outcome of my Special Envoy's consultations. The cease-fire and the deployment of United Nations and Russian observers are important steps in the right direction. However, a political process must also be started in order to tackle the root of the conflict, which is political in nature. The readiness of the two parties to meet and talk with each other provides an opportunity that must not be missed.

I have accordingly asked my Special Envoy to continue his efforts, with a view to convening a first round of negotiations before 15 September, possibly in Geneva.

I should be grateful if you could bring the above information to the attention of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26265

Letter dated 4 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*7 August 1993*]

I have the honour to refer to the statement of the President of the Security Council of 9 June 1993 [*S/25918*] in which you requested me to commence immediately a thorough and full investigation, including any allegations as to the perpetrators whoever they may be, of the massacre of civilians which occurred near Harbel, Liberia, on the morning of 6 June 1993.

It will be recalled that I instructed my Special Representative for Liberia, Mr. Trevor Gordon-Somers, then in Bamako, Mali, to proceed immediately to Monrovia to conduct a thorough investigation into this incident. Preliminary action was undertaken by other United Nations officials on the spot.

Mr. Gordon-Somers carried out a preliminary investigation on the basis of several visits to the massacre site, interviews with survivors and written reports and submissions made available to him. Subsequently, following consultations I have decided to appoint a panel of inquiry which will consist of three highly respected and distinguished international experts to undertake a more comprehensive investigation of the massacre.

The panel, to be convened under the authority of the Secretary-General, would comprise:

Mr. Amos Wako, Chairman (Kenya)
Mr. Robert Gersony (United States)
Mr. Mahmoud Kassem (Egypt)

The mandate of the panel would be, *inter alia*, as follows:

(*a*) To establish the facts and circumstances relating to the incident at Harbel;

(*b*) To examine allegations regarding responsibility for the massacre; and

(*c*) To make appropriate recommendations.

The members of the panel of inquiry would be authorized to make such contacts as necessary with the Interim Government of Liberia, the National Patriotic Front of Liberia, the United Liberation Movement of Liberia for Democracy (ULIMO), and the Armed Forces of Liberia (AFL) and with any other relevant individuals or parties in order to carry out their mandate.

The panel of inquiry would be requested to present its report as soon as its investigation is completed so that the report requested by the Security Council can be prepared.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26266

Letter dated 6 August 1993 from the representative of Morocco to the President of the Security Council

[*Original: English*]
[*7 August 1993*]

The negotiations in Geneva under the auspices of the Co-Chairmen of the International Conference on Former Yugoslavia for a settlement of the conflict in the Republic of Bosnia and Herzegovina seem now to be in a pause.

At this crucial stage of the negotiations, the Non-Aligned countries that are members of the Security Council believe that a temporary change of venue of the talks from Geneva to New York would undoubtedly improve the trust and confidence of the parties involved in the process, especially of the party that has been asked to make the greatest sacrifice and, may therefore prove to be of tremendous importance for the peace process in the Republic of Bosnia and Herzegovina. It should be recalled that when the negotiations on the Vance-Owen plan were at a difficult juncture, the talks were moved from Geneva to New York where President Izetbegovic was able to sign all the relevant documents.

In this regard, the Non-Aligned members of the Security Council will continue to make all endeavours to bring a constructive influence to facilitate progress in the negotiations.

Since the Security Council is actively seized of this issue, the Non-Aligned members of the Council believe that a change in venue from Geneva to New York could make it possible for the Council to be in a position to contribute more effectively to the process. The Non-Aligned members of the Security Council request you therefore to appropriately advise the Secretary-General on behalf of the Council.

I would appreciate it if you would kindly have the text of the present letter circulated as a document of the Security Council.

M. N. BENJELLOUN-TOUIMI
Chargé d'affaires a.i.
of the Permanent Mission of Morocco
to the United Nations

DOCUMENT S/26267

Letter dated 6 August 1993 from the representative of Belgium to the President of the Security Council

[*Original: French*]
[*7 August 1993*]

I have the honour to transmit herewith the texts of the statement on Rwanda issued by the European Community and its member States on 5 August 1993.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Paul NOTERDAEME
Permanent Representative
of Belgium
to the United Nations

TEXT OF THE STATEMENT

[*Original: English and French*]

The European Community and its member States warmly welcome the signing on 4 August 1993 of the Arusha agreements.

The agreements, signed by the President of the Rwandese Republic and the President of the Rwandese Patriotic Front, are the end result of long and laborious negotiations and constitute an appropriate basis on which to build a fair and lasting peace, to the benefit of all the countries of the subregion.

The Community and its member States appreciate the work done by the parties in the interests of the Rwandese people. They pay tribute to the sustained diplomatic efforts of the Tanzanian mediator and to the actions of the Organization of African Unity, the United Nations and the observers from Western and African Governments.

They request all the parties concerned to ensure full compliance with and effective implementation of the agreements concluded, in a climate of national reconciliation and of mutual confidence and tolerance. They stress that these agreements must help to strengthen democracy and lead to free elections.

The Community and its member States reaffirm their commitment to support the efforts of the Rwandese authorities and other partners and friends of Rwanda as part of the process of consolidating peace, restoring stability and security and achieving economic and social development.

DOCUMENT S/26268

Letter dated 5 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*7 August 1993*]

I have the honour to inform you that the Armenian occupation of the city of Agdam of the Azerbaijani Republic continues to be condemned by leading countries.

In particular, a statement by Michael McCurry, spokesman of the United States Department of State, dated 4 August 1993, says that "following condemnation by the United States Department of State of the 23 July attack by Nagorny Karabakh Armenian forces on the Azerbaijani city of Agdam, the Department of State has learned that these forces have also thoroughly looted and burned Agdam".

The spokesman further stresses that the "United States deplores this outrageous action, which is unjustifiable, further undermines the Conference on Security and Cooperation in Europe-sponsored peace process, and adds to the suffering of innocent civilians. We strongly urge full compliance with United Nations Security Council resolution 853 (1993), including the immediate, complete and unconditional withdrawal of Nagorny Karabakh forces from Agdam".

On behalf of my Government, and in accordance with Security Council resolutions 853 (1993) and 822 (1993), I ask you to take appropriate measures to ensure compliance by the Republic of Armenia with the provisions of both resolutions.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26269

Letter dated 6 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*7 August 1993*]

I have the honour to inform you that over the past few days settlements in the Azerbaijani Republic have been repeatedly shelled by the armed forces of Armenia.

In particular, on 4 and 5 August, Grad rocket launchers in the territory of the Republic of Armenia intensively shelled the village of Gushchu Airym, Kazakh district, as a result of which one person was wounded, the village of Gyulistan, Geranboy district, and settlements in the Zangelan and Tovuz districts of the Azerbaijani Republic. As a result of the shelling of the regional centre of Tovuz, the town's civilian population suffered the following casualties: five dead and four wounded. A large number of residential buildings were destroyed.

During the same period the village of Gushchular, Djebrail district, in Azerbaijan was shelled from the Azerbaijani village of Gyuneshly, which is occupied by Armenian armed forces, while the village of Garamamedly, Fizuli district, and the district centre of Fizuli were shelled from the settlements of Khatybulag and Gerazly, also occupied by Armenian formations. Armenian troops are continuing their hostilities in Agdam district. Villages in this district not captured during the most recent large-scale attack by the Armenian army are being subjected to continual artillery fire.

It is therefore obvious that Armenia is completely ignoring the provisions of Security Council resolutions 822 (1993) and 853 (1993) demanding the immediate cessation of all hostilities in the area of the Armenian-Azerbaijani conflict. I request you to take the necessary measures to ensure that the Republic of Armenia complies with all the provisions of these resolutions.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26271

Letter dated 5 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*7 August 1993*]

I have the honour to inform you that, as a result of Armenia's aggression and its occupation of the Agdam district in Azerbaijan, the number of registered refugees and displaced persons in Azerbaijan has risen by 125,810 (23,552 families). The overall number of persons who have been driven from their homes as a result of "ethnic cleansing" by the Armenian armed forces in the occupied 17 per cent of Azerbaijani territory is now approximately 620,000.

Refugees from Agdam district are accommodated in 35 districts of Azerbaijan and in Baku, the capital. The refugees include a large number of children who have suffered moral and psychological damage that will be hard to remedy. The majority of them have had to interrupt their attendance of schools and kindergartens.

As a result of the Armenian aggression, 409 schools and 101 kindergartens have been destroyed in districts of Azerbaijan occupied by Armenian armed forces. The specific figures are 24 schools and 7 kindergartens in Shusha, 105 schools and 5 kindergartens in Lachin, 37 schools and 3 kindergartens in Khojaly, 96 schools and 6 kindergartens in Kelbadjar, 102 schools and 80 kindergartens in Agdam, and 44 schools in Fizuli and Geranboy districts.

In view of the adoption by the Security Council on 30 April of resolution 822 (1993), and more recently its adoption of resolution 853 (1993) in which it "condemns all hostile actions in the region, in particular attacks on civilians and bombardments of inhabited areas", I request you to take the necessary measures to ensure that the Republic of Armenia complies with the provisions of these resolutions.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26272

Letter dated 6 August 1993 from the representative of Benin to the Secretary-General

[*Original: French*]
[*9 August 1993*]

In transmitting to you the Cotonou Agreement relating to the situation in Liberia, I have the honour to request, on instructions from my Government, that you arrange for it to be circulated as a document of the Security Council.

(*Signed*) Ayité J. C. KPAKPO
Chargé d'affaires a.i.
of the Permanent Mission of Benin
to the United Nations

ANNEX

[*Original: English*]

Agreement

THIS AGREEMENT is made this twenty-fifth day of July one thousand nine hundred and ninety-three

BETWEEN THE Interim Government of National Unity of Liberia (IGNU) of the first part and the National Patriotic Front of Liberia (NPFL) of the second part and the United Liberation Movement of Liberia for Democracy (ULIMO) of the third part

PART I - Military issues

SECTION A

Article 1

DECLARATION

1. The Parties to this Agreement hereby agree and declare a cease-fire and the cessation of hostilities - to become effective at the date and time and on the conditions stipulated in article 2 and section C below

2. The Parties further declare that all parties or groups within and without the perimeter of Liberia shall refrain from act(s) or activity(ies) that may violate or facilitate the violation of the cease-fire

Article 2

EFFECTIVE DATE

The Parties also agree that the cease-fire stated hereinabove and the cessation of hostilities shall take effect seven days from the date of signing of this Agreement, commencing at 12 midnight

SECTION B

Article 3

SUPERVISORY AND MONITORING AUTHORITY

1. The Economic Community of West African States (ECOWAS) Military Observer Group (ECOMOG) and the United Nations Observer Mission shall supervise and monitor the implementation of this Agreement The Parties hereby expressly recognize the neutrality and authority of the ECOMOG and the United Nations Observer Mission in respect of the foregoing Accordingly, the ECOMOG and United Nations observers shall enjoy complete freedom of movement throughout Liberia

2. By "ECOMOG Peace-keeping Force" is meant an expanded ECOMOG which includes the forces of ECOWAS Member States and African troops from outside the West African region

3. The Parties agree further that in order to monitor and ensure against any violation of the cease-fire between the period of the effective date of the cease-fire and the arrival of ECOMOG and full contingent of the United Nations Observer Mission, a Joint Cease-fire Monitoring Committee is hereby established, which shall have the authority to monitor, investigate and report all cease-fire violations The Committee shall comprise an equal number of representatives from each of the parties hereto, ECOMOG and an advance team of the United Nations Observer Mission Each group of the Joint Cease-fire Monitoring Committee shall be chaired by the United Nations observer in the group It shall freely travel throughout the country This Committee shall automatically be dissolved and deemed to be dissolved upon the arrival and deployment of ECOMOG and the full contingent of the United Nations Observer Mission

SECTION C

Article 4

TERMS AND CONDITIONS

The Parties hereby state further that they have agreed to the cease-fire stipulated above on the following terms and conditions

1. *Prohibitions upon the Parties*

The Parties agree not to

(*a*) Import any weapons and war-like materials by any means into Liberia;

(*b*) Use the period of the cease-fire to engage in any military build-up whether in manpower or armaments, or

(*c*) Engage in any other activity that would violate or result in the violation of the cease-fire

2. *Adherence to stipulations on military embargo*

The Parties recognize and accept that the military embargo imposed on and upon all warring parties by ECOWAS and the United Nations Security Council shall remain in full force and effect.

3. *Creation of buffer zones*

ECOMOG shall create zones or otherwise seal the borders, whichever is militarily feasible, of Liberia-Guinea, Liberia-Sierra Leone and Liberia-Côte d'Ivoire to prevent cross-border attacks, infiltration or importation of arms. There shall be deployed United Nations observers in all of such zones to monitor, verify and report on any and all of the foregoing and the implementation thereof.

4. *Monitoring and supervision of entry points*

All points of entry, including sea ports, airfields and roads shall be monitored and supervised by ECOMOG. There shall be deployed United Nations observers to monitor, verify and report on the implementation of the foregoing activities.

5. *Position of warring parties at declaration of cease-fire*

The warring parties shall remain and maintain their positions held as at the effective date of this cease-fire, until the commencement of encampment.

SECTION D

Article 5

ACTS OF VIOLATION

1. The Parties hereto hereby agree to honour every and all provisions of this Agreement, and stipulate that any party committing any acts of violations shall be held liable for such violations.

2. The following acts shall constitute violation of the cease-fire:

(*a*) Importation of arms and ammunition, incendiary devices and other war-related items.

(*b*) Changing or improvement of existing positions or fortification or alteration of existing positions.

(*c*) Attack (whether with conventional or unconventional weapons) against the position of any warring faction by another, or firing at an individual of a warring faction established to have been carried out at the instance of the authority of the warring party to which he/she belongs.

(*d*) The systematic use of conventional or unconventional weapons (i.e. knives, cutlasses, bows and arrows, etc.).

(*e*) Recruitment and training of combatants and/or groups of persons after the effective date of this Agreement.

(*f*) Any proven use of communication devices, facilities or propaganda designed to incite or having the effect of inciting hostilities between any of the warring parties.

(*g*) Planting of mines and incendiary devices subsequent to the effective date of the cease-fire, refusal to disclose the existence of or places where such devices or mines have been planted, and deliberate failure to cooperate or furnish maps (where available) where such devices have been planted.

(*h*) Obstruction of the implementation of any of the provisions of the Agreement by any party or its authorized agent.

(*i*) Harassments or attacks upon ECOMOG, the United Nations Observer Mission or the Joint Cease-fire Monitoring Committee.

(*j*) Obstructions of the activities of ECOMOG, United Nations observers and the Joint Cease-fire Monitoring Committee.

SECTION E

Article 6

DISARMAMENT

Disarmament being the ultimate objective of the cease-fire, the Parties hereto agree and express their intent and willingness to disarm to and under the supervision of ECOMOG, monitored and verified by the United Nations Observer Mission. In conformity therewith, the parties agree that:

1. All weapons and warlike materials collected shall be stored by ECOMOG in armouries designated by ECOMOG, monitored and verified by United Nations observers.

2. All weapons and warlike materials in the possession of the parties shall be given to ECOMOG, monitored by United Nations observers, upon appropriate recording and inventory, and placed in designated armouries.

3. Said armouries shall be secured by ECOMOG, monitored and verified by United Nations observers, upon proper documentation or inventory of all weapons and warlike materials received.

4. Each of the warring factions shall ensure that its combatants report all weapons and warlike materials to ECOMOG, monitored and verified by United Nations observers, upon proper inventory. Such weapons and warlike materials, upon inventory, shall be taken to the designated armouries by ECOMOG, under the monitoring and verification of United Nations observers.

5. All non-combatants who are in possession of weapons and warlike materials shall also report and surrender same to ECOMOG, monitored and verified by United Nations observers. Such weapons and warlike materials shall be returned to the owners after due registration, licensing and certification by the governing authority after the elections.

6. ECOMOG shall have the authority to disarm any combatant or non-combatant in possession of weapons and warlike materials. The United Nations observers shall monitor all such activities.

7. For the sole purpose of maintaining the cease-fire, ECOMOG shall conduct any search to recover lost or hidden weapons, observed and monitored by the United Nations observers.

SECTION F

Article 7

ENCAMPMENT

1. *Purpose*

(*a*) The Parties agree and fully commit themselves to the encampment of their combatants in encampment centres established by ECOMOG, monitored and verified by United Nations observers, the purpose of which shall be, in addition to the disarmament and demobilization, to serve as a transit point for the further education, training and rehabilitation of said combatants; and

(*b*) Consistent with the above, the parties agree to submit to ECOMOG and the United Nations observers, a complete listing of their combatants and weapons and warlike materials and their locations to the nearest encampment centres.

2. *Commencement of encampment*

The Parties agree that encampment shall commence immediately upon the deployment of ECOMOG and the United Nations Observer Mission. Copies of the schedule of encampment shall be furnished to all the parties hereto.

3. *Identification and security of encampment sites*

In consultation with the Parties, ECOMOG and the United Nations Observer Mission shall identify locations for encampment. Security of encampment sites shall be provided by ECOMOG, monitored and verified by United Nations observers.

SECTION G

Article 8

PEACE ENFORCEMENT POWERS

1. It is also agreed upon that ECOMOG shall have the right to self-defence where it has been physically attacked by any warring faction hereto.

2. There shall be established, upon deployment of ECOMOG and the full contingent of the United Nations Observer Mission, a Violation Committee consisting of one person from each of the parties hereto and ECOMOG and the United Nations Observer Mission, chaired by a member of the United Nations Observer Mission.

3. All violations of the cease-fire shall be reported to the United Nations Observer Mission observers who shall, immediately upon receipt of the information of violation, commence an investigation and make findings thereof. In the event the violations can be cured by the United Nations observers, they shall pursue such a course. However, should such a course not be possible, the United Nations observers shall submit their findings to the Violation Committee. The Violation Committee shall invite the violating party/(ies) for the purpose of having such party/(ies) take corrective measures to cure the violations within such time-frame as may be stipulated by the Committee. Should the violating party not take the required corrective measures, ECOMOG shall be informed thereof and shall thereupon resort to the use of its peace-enforcement powers against the violator.

SECTION H

Article 9

DEMOBILIZATION

1. The Parties hereby agree that any warring faction or factions that may have non-Liberian fighters or mercenaries shall repatriate such persons, or when found, upon evidence, shall be expelled by the Government of the Republic of Liberia.

2. Further, the Parties hereby call upon the United Nations, other international organizations and countries, to programme and finance the process of demobilization, retraining, rehabilitation and re-absorption of all former combatants to normal social and community life.

3. It is agreed by the Parties hereto that each party shall immediately commence a community information or educational programme, explaining to the public by means of communication devices or any form of media, the essence and purpose of the cease-fire, encampment, disarmament and demobilization. Such programme shall include other social institutions.

SECTION I

Article 10

PRISONERS-OF-WAR

The Parties hereby agree that upon signing of this Agreement all prisoners-of-war and detainees shall be immediately released to the Red Cross authority in an area where such prisoners or detainees are detained, for onward transmission to encampment sites or the authority of the prisoner-of-war or detainee. Common criminals are not covered by this provision.

SECTION J

Article 11

SUBMISSION BY PARTIES TO AUTHORITY OF TRANSITIONAL GOVERNMENT

Consistent with the provisions of paragraph 5 of article 14 of this Agreement, all Parties agree to submit themselves to the authority of the Transitional Government.

SECTION K

Article 12

SCHEDULE OF IMPLEMENTATION

Schedules of implementation of this Agreement, including a schedule for disarmament, encampment and demobilization of combatants, shall be drawn by ECOMOG and the United Nations observers. This schedule of implementation shall be given to each of the warring parties prior to implementation. The Parties undertake that they will create no obstacles to the full implementation of any of the foregoing activities.

PART II - Political Issues

SECTION A

Article 13

REVIEW AND REAFFIRMATION OF THE YAMOUSSOUKRO ACCORDS

The Parties to this Agreement reaffirm that the Yamoussoukro Accords provide the best framework for peace in Liberia, noting the links between the ECOWAS peace plan and the Yamoussoukro Accords.

SECTION B

Article 14

STRUCTURE OF GOVERNMENT

1. The Parties observe that Liberia is a unitary State and as such agree to form a single transitional Government, styled THE LIBERIA NATIONAL TRANSITIONAL GOVERNMENT. The authority of the transitional Government shall extend throughout the territorial limits of the Republic of Liberia.

2. The mandate of the transitional Government is to provide essential government services during the transitional period and to also hold and supervise general and presidential elections in accordance with the ECOWAS peace plan. The Transitional Legislature Assembly or the Council of State shall have power to enact or cause to be enacted any rule(s), regulation(s) or law, or take any action(s) which may facilitate the holding of free and fair democratic elections.

3. Formal installation of the Council of State shall take place in Monrovia, the capital city of the Republic of Liberia, and the Council of State shall also be permanently headquartered there.

4. The Parties further agree that the aforesaid transitional Government shall be selected in accordance with the below listed provisions and installed in approximately thirty (30) days of the date of signature of this Agreement, concomitant with the commencement of the disarmament process. Upon the installation of the transitional government, both IGNU and NPRAG shall cease to exist and shall be deemed dissolved.

5. The Parties further agree that the transitional Government shall operate as closely as practicable under the Constitution and laws of Liberia.

6. The Parties further agree, warrant and promise that from the date of signature of this Agreement, no loans shall be negotiated or contracted in the name of or on behalf of the Liberian Government except to ensure the carrying out of the operations and activities of governmental and other public services. All financial transactions entered into by the Transitional Government shall be formally submitted to the Transitional Legislative Assembly for ratification.

7. The Parties also agree that the transitional Government shall have three branches: legislative, executive and judicial.

Executive

(i) The Parties further agree that, during the transitional period, the executive powers of the Republic shall be vested in a five (5)-member Council of State which is hereby established. Each of the

Parties shall appoint one (1) member to the Council, whilst the remaining two (2) shall be selected in accordance with the following procedure:

Each of the Parties shall nominate three (3) eminent Liberians who together shall select two (2) of their number to be additional members of the Council.

(ii) Each Party shall submit the name of its appointee to the Council and also the names of its three (3) nominees in accordance with the provisions of the preceding paragraph to the office of the current Chairman of ECOWAS within a period of seven (7) days from the date of signature of this Agreement. Copies of the list of these names shall also be forwarded to each of the Parties.

(iii) The Parties shall, not later than three (3) days from submission of the aforesaid names, jointly and mutually determine the time and venue for the selection of the two (2) additional members of the Council. This entire selection process shall not exceed ten (10) days after the determination of the time and place of the meeting. If at the appointed place and time, any of the nominees fail to appear, the nominating party shall forfeit its right to renominate any other person(s), and the selection process shall proceed.

(iv) Proof of the selection of the two additional Council members shall be made by a written statement signed by all the nominees (excluding the two nominees selected) who participated in the selection process confirming same. The statement shall be forwarded to the current Chairman of ECOWAS with copy to each of the Parties.

(v) The Council shall select from amongst its members a Chairman and two (2) Vice-Chairmen.

(vi) The Council shall conduct and be responsible for the day-to-day operation of Government. All decisions shall be made by consensus of all the members.

(vii) The Council shall also devise and implement appropriate procedural rules in respect of its operation.

(viii) The Parties shall, in consultation with each other, determine the allocation of cabinet posts.

Judicial

The Parties further agree that for purposes of continuity, there shall be no change in the existing structure of the Supreme Court. ULIMO shall have the right to nominate the fifth member of the Court to fill the vacancy which currently exists. The nominee by ULIMO to the Supreme Court shall meet the established criteria and successfully undergo a screening by his or her peers in the Court.

Legislature

The Parties agree that the Transitional Legislative Assembly shall be a unicameral body composed of thirty-five (35) members. Both IGNU and NPFL shall each be entitled to thirteen (13) members, and ULIMO nine (9) members. The Parties agree that ULIMO shall have the right to nominate the Speaker from one of its members in the Assembly.

SECTION C

Article 15

ELECTIONS MODALITIES

1. The Parties agree that, in order to enhance the inclusive nature of the transitional Government, ULIMO shall have the right to nominate two members to the Elections Commission, thus expanding the existing Elections Commission to seven (7) members. For the purpose of continuity the present structure shall remain the same.

2. *Supreme Court*. The Supreme Court shall adjudicate all matters arising out of the elections during the transition, in accordance with the Constitution and laws of the country.

3. *Voters registration*. Voters registration shall commence as soon as possible having due regard for the need to expedite repatriation.

4. *Observers and monitors*. The transitional Government and the Elections Commission will work out the modalities for the participation of observers and monitors in the electoral process.

5. *Financing*. Financing will be sought from the national and international communities.

6. The Parties agree that the elections to be conducted shall conform to the several United Nations and internationally accepted codes of conduct and the Elections Commission shall, accordingly, be guided thereby.

SECTION D

Article 16

TENURE AND MANDATE OF THE TRANSITIONAL GOVERNMENT

1. The transitional Government shall be installed approximately one month after the signing of this Agreement, concomitant with the commencement of the disarmament process.

2. The transitional Government shall have a life span of approximately six (6) months commencing from the date of its installation.

3. General and presidential elections shall take place approximately seven (7) months from the signature of this Agreement.

4. Holders of positions of leadership within the Transitional Government (i.e. members of the Council of State, Supreme Court Justice, members of the Elections Commission, Cabinet Ministers, members of the Transitional Legislative Assembly, Managing Directors or Heads of Public Corporations and Autonomous Agencies) shall be ineligible to contest the election provided for in paragraph 3 of this article.

SECTION E

Article 17

HUMANITARIAN ASSISTANCE

The Parties agree that every effort should be made to deliver humanitarian assistance to all Liberians, particularly children, who are malnourished and suffering from related diseases. Convoys of humanitarian assistance should travel to all areas of Liberia through the most direct routes, under inspection to ensure compliance with the sanctions and embargo provisions of this Agreement.

SECTION F

Article 18

REPATRIATION OF REFUGEES

1. The Parties hereby commit themselves immediately and permanently to bring to an end any further external or internal displacement of Liberians and to create the conditions that will allow all refugees and displaced persons to, respectively, voluntarily repatriate and return to Liberia to their places of origin or habitual residence under conditions of safety and dignity.

2. The Parties further call upon Liberian refugees and displaced persons to return to Liberia and to their places of origin or habitual residence and declare that they shall not be jeopardized in any ethnic, political, religious, regional or geographical considerations.

3. The Parties also call upon the relevant organizations of the United Nations system, particularly the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme, other intergovernmental and non-governmental organizations, to implement programmes for the voluntary repatriation, return and reintegration of the Liberian refugees and internally displaced persons.

4. The Parties proclaim that they shall, jointly or individually, cooperate in all necessary ways with themselves and with the above-mentioned organizations in order to facilitate the repatriation, return and reintegration of the refugees and displaced persons. Amongst others, they agree to

(*a*) Establish all necessary mechanisms or arrangements, such as joint repatriation committees, which would facilitate contacts, communications and work with the relevant organizations for purposes of implementing the repatriation, return and reintegration operation and to enable effective decision-making and implementation of the relevant activities;

(*b*) Facilitate access by the Office of the United Nations High Commissioner for Refugees and other organizations to the refugees and displaced persons who have returned so as to deliver the necessary humanitarian assistance and programmes and monitor their situation;

(*c*) Guarantee and provide security to the Office of the United Nations High Commissioner for Refugees and the other relevant organizations, their staff, vehicles, equipment and resources necessary to carry out their work;

(*d*) Provide all other necessary facilities and support that will be necessary to facilitate the implementation of the return, voluntary repatriation and reintegration of refugees and displaced persons.

SECTION G

Article 19

GENERAL AMNESTY

The Parties hereby agree that upon the execution of this Agreement there shall be a general amnesty granted to all persons and parties involved in the Liberian civil conflict in the course of actual military engagements. Accordingly, acts committed by the Parties or by their forces while in actual combat or on authority of any of the Parties in the course of actual combat are hereby granted amnesty. Similarly, the Parties agree that business transactions legally carried out by any of the Parties hereto with private business institutions in accordance with the laws of Liberia shall in like manner be covered by the amnesty herein granted.

DONE at Cotonou, Republic of Benin, in seven original copies this twenty-fifth day of July 1993

(*Signed*) Amos Claudius SAWYER
President of the Interim
Government of National
Unity of Liberia, for and on
behalf of the Interim Government
of National Unity of Liberia (IGNU)

(*Signed*) Enoch DOGOLEA
Vice-President of the
National Patriotic Front of
Liberia, for and on behalf
of the National Patriotic
Front of Liberia (NPFL/NPRAG)

(*Signed*) Major-General Alhaji G. V. KROMAH
Leader of the United Liberation Movement
of Liberia for Democracy, for and on behalf
of the United Liberation Movement of Liberia
for Democracy (ULIMO)

(*Signed*) Nicéphore Dieudonné SOGLO
President of the Republic of Benin
and Current Chairman of ECOWAS

(*Signed*) James O. C. JONAH
Under-Secretary-General
Department of Political Affairs,
United Nations Secretariat, for and
on behalf of the Secretary-General
of the United Nations

(*Signed*) Canaan BANANA
OAU Eminent Person for Liberia,
for and on behalf of the
Secretary-General of the
Organization of African Unity

DOCUMENT S/26273

Letter dated 5 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*9 August 1993*]

I have the honour to forward herewith a copy of an *aide-mémoire* which was handed to me yesterday in a meeting which I held with representatives of the Permanent Missions of Argentina, Bangladesh, Chile, Egypt, Fiji, India, Indonesia, Jordan, Kenya, Malaysia, Pakistan, Philippines, Thailand, Uruguay and Zimbabwe.

The *aide-mémoire* underlines the concern of the Governments of those countries, all of which contribute troops to United Nations peace-keeping operations, at the delays in reimbursement of the expenses which they incur. As you are aware, I drew attention to this situation in the letters which I recently addressed to the members of the Security Council on the financial crisis confronting the Organization.

I would be grateful if you would share the contents of the *aide-mémoire* with the other members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

AIDE-MEMOIRE

The Permanent Missions of Argentina, Bangladesh, Chile, Egypt, Fiji, India, Indonesia, Jordan, Kenya, Malaysia, Pakistan, Philippines, Thailand, Uruguay and Zimbabwe

state that:

1. They are aware of the increasing responsibilities of the United Nations in the area of peace-keeping activities, which has necessitated increased contribution of resources by Member States in terms of personnel and equipment to the peace-keeping operations, and firmly believe that a solid financial basis is essential to the peace-keeping efforts of the Organization and therefore, share the concern expressed by the Secretary-General over the present financial situation. They are convinced that the situation needs to be improved urgently so that the United Nations can continue to play its central role in the maintenance of international peace and security.

2. They are mindful that the maintenance of international peace and security is a collective responsibility, hence are contributing troops and equipment to the peace-keeping efforts of the Organization. This entails a considerable financial burden. They believe that timely reimbursement for troops costs and compensations are essential for sustained participation by Member States, particularly the developing countries.

3. They believe that delays in the reimbursement of troop costs and compensations to the contributing countries could make difficult the participation of many Member States in United Nations peace-keeping operations, in particular that of the developing countries.

4. They are convinced that the time has come to find the solutions to this problem. In this regard, they are prepared to cooperative constructively in all the appropriate forums to devise ways and means to achieve this goal.

4 August 1993

DOCUMENT S/26276

Letter dated 9 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*9 August 1993*]

It is with profound concern that I inform you that Armenian troops have resumed their attack on the Fizuli district of Azerbaijan, having once again violated the terms of the cease-fire agreement

On 7 and 8 August 1993, Armenian troops attacked the district capital of Fizuli from the west, having come to within 2 kilometres of the town. Fizuli continues to be subjected to intense tank artillery fire from the Mengelen-Ata heights and the other commanding heights above the town. At the same time Armenian troops have attacked Fizuli from the south-west, from the villages of Kargabazar, Molla Vely and Karakellu, in an attempt to cut off the Fizuli-Djebrail road.

Elsewhere on the front, both along the Armenian-Azerbaijani frontier and deep inside Azerbaijani territory, Armenia's armed forces are continuing to pound Azerbaijani settlements with rocket-artillery fire. Villages in neighbouring Agjabedi district have been shelled from the territory of the occupied villages of Novruzlu and Marzili in the Agdam district and under cover of artillery fire armoured subunits of the Armenian forces succeeded in advancing along the road towards Agjabedi, while from the territory of Armenia itself the villages of Mor Mor and Novoivanovka in Kedabek district, Kioullougouchlag in Zangelan district and the village of Kilid in the Nakhichevan Autonomous Republic have been shelled. There have been deaths and injuries among the civilian population.

It is with regret that I must point out that Armenia is once again completing another round of its aggressive activities against the Azerbaijani Republic at a time when negotiations of the Conference on Security and Cooperation in Europe (CSCE) Minsk Group have begun in Rome on the adoption of a set of measures for implementation of Security Council resolutions 822 (1993) and 853 (1993), thereby derailing the negotiating process and scorning the valuable efforts of the international community to promote a peaceful settlement of the Armenian-Azerbaijani conflict.

All of this is further proof that Armenia will persist in its armed aggression against Azerbaijan as long as the Security Council does not condemn the aggressor and fails to impose on it appropriate sanctions as provided for in the Charter of the United Nations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26277

Letter dated 6 August 1993 from the representative of Albania to the President of the Security Council

[*Original: English*]
[*9 August 1993*]

I have the honour to transmit to you herewith a letter from the Minister for Foreign Affairs of the Republic of Albania, Mr. Alfred Serreqi.

I should be grateful if you would have the text of the present letter circulated as an official document of the Security Council.

(*Signed*) Thanas SHKURTI
Permanent Representative
of Albania
to the United Nations

LETTER DATED 6 AUGUST 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF ALBANIA TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing this urgent letter to inform you of a further serious aggravation of tension on the Albanian-Yugoslav border, which can be conducive to very dangerous consequences, a spill-over of the war in the south of the Balkans. Today, on 6 August 1993, Serbian military forces perpetrated two successive acts of provocation by opening automatic rifle fire in the direction of Albanian territory, against Albanian frontier guards and inhabitants of a border village. As a result of the provocations, a 20-year-old soldier was killed, another soldier, 20 years old, was seriously wounded and a 26-year-old villager was also wounded.

The Serbian military provocations against Albanian military forces and peaceful inhabitants of Albanian villages are taking place right after the worldwide condemnable decision of the Belgrade Government on the expulsion of the Conference on Security and Cooperation in Europe (CSCE) monitoring mission from Kosovo. At that time the Albanian Government issued the warning that the expulsion of the CSCE monitoring mission would lead to increased tension and extension of the Serbian war strategy to Kosovo and beyond. In the wake of Belgrade's arbitrary decision two very dangerous phenomena are evident: drastic escalation of repression and terror in Kosovo where more than 2 million Albanians live, and the occurrence of grave military incidents and provocations committed on the border with Albania.

Serbia's goal to cause tension and create hotbeds of war for a larger scale conflagration in the Balkans is clear. Today's grave acts of provocation bear witness to an out-and-out policy of war of the Belgrade Government, which should be viewed from the angle of the entire criminal policy of war that this Government has been pursuing at all stages of the crisis in the former Yugoslavia. The killing and wounding of Albanian soldiers and inhabitants on Albanian territory are evidence of a prepared and premeditated provocation. It was preceded by the so-called Note on previous incidents allegedly committed by the Albanian side. The Note was refuted by the Albanian Government and the European Community monitoring mission.

Inasmuch as the exacerbation of this dangerous situation on the Albanian-Yugoslav border is an issue that concerns the United Nations Security Council and all the other international forums as well,

Since the escalation of tension in Kosovo and on the border with Albania is testimony to the war policy Serbia is pursuing at a time when the international diplomacy has gone all out to prevent it, we deem it necessary to request:

1. An urgent meeting of the Security Council to take up for discussion the situation created by Serbia on its border with Albania and the adoption of measures to bring pressure to bear on Serbia to give up and stop its dangerous military provocations.

2. An immediate intervention of the Security Council by urgently dispatching monitoring missions to the border with Serbia and to Kosovo.

I express my belief in your action and in the action of the Security Council, convinced that the urgency of the situation will be duly assessed and measures be taken to prevent the flames of war from spreading to the Balkans.

(*Signed*) Alfred SERREQI
Minister of Foreign Affairs
of the Republic of Albania

DOCUMENT S/26278

Letter dated 6 August 1993 from the representative of Albania to the President of the Security Council

[*Original: English*]
[*9 August 1993*]

Upon instructions from my Government, I have the honour to report to you the following:

Today, at about 1030 hours Yugoslav military forces opened fire in the direction of the Albanian border, in the vicinity of the city of Tropoja (northern Albania), killing, within 250 metres into the Albanian territory, the Albanian citizen Fatmir Mara, and seriously wounding the Albanian soldier Ali Shehu, aged 20, and Djavid Ferizi, aged 25.

The Albanian Government considers the above incident as a very grave and serious provocation against the territorial integrity of the Republic of Albania, which further aggravates the already tense situation in the area.

The above provocative incident comes soon after the Ministry for Foreign Affairs of the Republic of Albania had issued a statement which categorically rejected a recent note of the Belgrade Government "On Border Incidents" qualifying the so-called incidents as pure intentional fabrication.

I should be grateful, Mrs. President, if you would have the text of the present letter and that of the attached statement of the Ministry for Foreign Affairs of the Republic of Albania, circulated as an official document of the Security Council.

(*Signed*) Thanas SHKURTI
Permanent Representative
of Albania
to the United Nations

TEXT OF THE STATEMENT

On 4 August 1993, the Belgrade Foreign Ministry delivered a protest note No. 184/11-93 to the Albanian Embassy in which the border guards of the Albanian Republic are accused of "opening fire on the 18, 24 and 27 July" in the direction of Yugoslav territory and patrols. Moreover, the note openly intrigues that in these recent incidents four armed monitoring observers of the European Community were present observing the border between Albania and the former Yugoslavia.

With regard to the above-mentioned note, the Ministry of Foreign Affairs of the Republic of Albania deems it necessary to draw the attention of public opinion and the Yugoslav side to the following.

According to full investigation and information of the Department of Border Police of the Ministry of Public Order and local border authorities, on 18, 24 and 27 July 1993 there were no border incidents in the common border zones mentioned in Belgrade's note. Referring to accurate and verified data, the Albanian borderguards and civilians, Albanian citizens, have opened no fire in the direction of Yugoslav territory or border patrols.

Indignantly rejecting the concoctions of the note, the Ministry of Foreign Affairs of the Republic of Albania recalls and draws the attention that it is the Yugoslav side that has systematically provoked grave events on the Albanian border, in which a considerable number of Albanian nationals have been killed and dozens of others wounded. According to data of the Ministry of Public Order and Ministry of Defence of the Republic of Albania, in the first four months of 1993 only, in different zones of the State border between the two countries, 14 Albanian nationals have been shot dead by Serbian borderguards.

Such premeditated, unjustified killings happened on 2 February, 2 March, 21 March and 25 April 1993, during which in a single day eight citizens of the Republic of Albania were killed in cold blood and for no serious cause.

Regarding all these cases, the Ministry of Foreign Affairs of the Republic of Albania by means of its notes of protest sent to the Authorities in Belgrade, has expressed its deep indignation at these premeditated deeds of the warmongering circles of Belgrade as well as its serious concern that such grave incidents aim at further aggravating the situation in the region. Such evident objectives cannot be disguised by the ridiculous manoeuvres of Belgrade to act the victim and "the provoked side", in the eyes of the international public opinion, aiming at distracting its attention from what is actually happening in Bosnia-Herzegovina, Kosovo and elsewhere. The international community that attentively follows the events in the Balkans cannot but clearly see that the policy of permanent terror, assassinations, searches, maltreatment that the Serb troops of occupation and the Belgrade political authorities implement in Kosovo are accompanied with border provocations against Albania simultaneously. They by all means seek to find a pretext to initiate an armed conflict seriously abusing the patience of the Albanians.

The Republic of Albania makes peaceful efforts to avoid any incident and to eliminate any precedent that leads to the aggravation of the political or military situation along the State border between the two countries. The border monitoring commission of the European Community, whose presence in Albania is a significant fact, has now and then testified to the correct actions, in conformity with international rules and norms of the border units of the Republic of Albania. This mission in no case has concluded that the incidents on the border between Albania and the former Yugoslavia have been provoked by the Albanian side. We are convinced that it will have its final say even on the recent Belgrade concoctions.

The Ministry of Foreign Affairs of the Republic of Albania, indignantly denouncing once more such perfidious methods used by the Belgrade Government, reiterates the known stand of its Government that any border incident or dispute should be discussed and settled by the joint border commissions and competent authorities to put an end to all unsavoury events that result in loss of life as are the many cases when Albanian nationals have been killed by the Serb borderguards. The Government of the Republic of Albania is showing an exemplary patience aiming at averting any conflict risking to bring the crisis in the region on the verge of a pan-Balkanic war. It is against any confrontation. It is for understanding and peaceful settlement of the conflicts and crises, especially the present tragic crisis in the former Yugoslavia, endeavouring to render its positive contribution in this respect.

DOCUMENT S/26279

Letter dated 9 August 1993 from the representative of Yugoslavia to the President of the Security Council

[*Original: English*]
[*9 August 1993*]

I have the honour to transmit, enclosed herewith, my statement on the agenda item "Conference on Security and Cooperation in Europe missions in Kosovo, Sandzak and Vojvodina in the Federal Republic of Yugoslavia (Serbia and Montenegro)" had there been a debate on this issue in the Security Council on 9 August 1993.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission
of Yugoslavia to the United Nations

TEXT OF THE STATEMENT

I would like to bring to the attention of the Security Council the following facts which are relevant in consideration of the issue of the Conference on Security and Cooperation in Europe (CSCE) missions of long duration in the Federal Republic of Yugoslavia. We are presenting those facts although we consider this to be an internal affair of the Federal Republic of Yugoslavia as well as the question of Yugoslavia's relation with the CSCE. That even more so since it does not concern the maintenance of international peace and security and as such does not fall within the competencies of the Security Council.

The Government of the Federal Republic of Yugoslavia did not either suspend the mandate or refuse to allow the activities of the CSCE missions of Long Duration. As it is well known, after eight months of activities in the territory of the Federal Republic of Yugoslavia, the missions' mandate expired. Although the Federal Republic of Yugoslavia expressed its readiness to cooperate and negotiate a new mandate, so far the CSCE failed to consider that offer. In that connection, Yugoslavia expects to be accorded the same treatment as other participating States in the CSCE, since equality is the principle of the CSCE for which there can be no exemptions.

It is not the Government of the Federal Republic of Yugoslavia that refused to allow continued functioning of the CSCE missions of long duration in its territory. It was in fact the Committee of Senior Officials that rejected cooperation that the Federal Republic of Yugoslavia offered on a number of occasions. At a time of the signing of the protocol on the extension of the mandate of the CSCE missions in April 1993, the Government of the Federal Republic of Yugoslavia made it quite clear that it wanted to continue normal cooperation with the CSCE. My Government also stated that it was going to consider the question of the continuation of the missions of long duration in the light of the decision of the Committee of the Senior Officials. Regrettably, at its meeting in Prague on 29 and 30 June 1993, the Committee did not consider the question of normalization of relations and cooperation with the Federal Republic of Yugoslavia. Therefore, to blame the Federal Republic of Yugoslavia for the lack of willingness to cooperate with the CSCE, to say the least, is unfounded and contrary to the actual state of affairs.

Despite the fact that by the decision of 8 July 1992, the Federal Republic of Yugoslavia was suspended from the work of the CSCE meetings, it has continued to cooperate with the CSCE. It has done its utmost to comply with the CSCE principles and standards and to implement the decisions concerning Yugoslavia including the one establishing the CSCE missions of long duration.

Our desire and readiness to cooperate have not only been repeatedly stated but have also been proven in practice. The missions of long duration and almost 70 other missions, including over 800 journalists, visited Kosovo and Metohija alone in the past seven months.

As far as the missions of long duration are concerned, the Government of the Federal Republic of Yugoslavia is fully aware of the positive results of the missions' presence in Yugoslavia as it has been repeatedly conveyed to the Chief of the missions at the time. Consequently, the Government of the Federal Republic of Yugoslavia is ready to consider their renewed presence in the future, but it is up to the CSCE to decide whether and if so, when it will accept our offer for the resumption of normal cooperation. My Government is indeed prepared to live up to the norms and principles that Yugoslavia has accepted as a CSCE participating State but in order to do that, we have to be allowed to actually participate in the activities of the CSCE.

As for the allegations that the situation in Kosovo and Metohija, Raska and Vojvodina is aggravating, the Government of the Federal Republic of Yugoslavia would like to assure the Security Council that its authorities are in full control of the situation and that there is no threat to international peace and security. Certainly, there is no interest or motive for the Government of the Federal Republic of Yugoslavia to aggravate the situation in its own territory.

In conclusion, I would like to repeat once again the readiness of the Federal Republic of Yugoslavia to fully cooperate with the CSCE, to enter into substantial dialogue on all questions, including those on the renewal of the mandate of the missions of long duration on the basis of equality and with a view to normalizing the relations with the CSCE.

DOCUMENT S/26280

Letter dated 9 August 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*9 August 1993*]

I have the honour to transmit to you herewith the statement of 7 August 1993 by Mr. Levon Ter-Petrossian, President of Armenia.

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

In compliance with paragraph 9 of United Nations Security Council resolution 853 (1993),

Led by the supreme interest of the Armenian people for safety and development,

Considering the necessity of ensuring the security of the people of Armenia and Nagorny Karabakh,

Interested in the peaceful resolution of the Nagorny Karabakh conflict, and

Reaffirming its adherence to international obligations,

1. The Republic of Armenia welcomes the Baku-Stepanakert dialogue as the first serious step towards an understanding between the parties to the conflict and the development of an atmosphere of trust between them. At the same time, Armenia expresses its concern with regard to attempts to transform that dialogue into an alternative to the Conference on Security and Cooperation in Europe (CSCE) peace process, and makes an appeal to exert all possible efforts for the integration of that dialogue within the joint CSCE endeavour.

2. The Republic of Armenia welcomes the temporary cease-fire achieved as a result of the Baku-Stepanakert dialogue and appeals to the parties to the conflict to abstain from any future military operations, the occupation of new territories, shelling by artillery and rocket and bombardments by air.

3. The Republic of Armenia appeals to the authorities of Nagorny Karabakh to participate in the CSCE Minsk Group consultations being held in Rome.

4. The Republic of Armenia appeals to the authorities of Nagorny Karabakh to manifest a constructive approach towards the implementation of United Nations Security Council resolutions and the CSCE peace initiative.

5. The Republic of Armenia appeals to the Governments of Azerbaijan and Turkey to abstain from partisan political judgements which contradict resolutions by international organizations. Such judgements do not contribute to the peaceful resolution of the Nagorny Karabakh conflict, and they further complicate an already difficult CSCE peace process.

DOCUMENT S/26281

Letter dated 9 August 1993 from the representative of Croatia to the Secretary-General

[*Original: English*]
[*10 August 1993*]

I have the honour to make some observations as to the report of the Co-Chairmen of the Steering Committee on the Activities of the International Conference on the Former Yugoslavia circulated on 6 August 1993 [*S/26260*]. The Croatian Government commends the tireless effort of the Co-Chairmen in their difficult peace-building task, but we wish to take note of certain passages in the report which, because of the manner in which they are written, can lead to misunderstandings and confusion as to the position and behaviour of the Croatian Government in regards to, both, the peace talks and the conflict in the Republic of Bosnia and Herzegovina.

Firstly, the Croatian Government does not consider there to be any "Serb-Croat proposal" for the settlement of the war in the Republic of Bosnia and Herzegovina, as is often cited in the aforementioned report. While the Bosnian Serbs and the Bosnian Croats have both accepted the principles of the constitutional agreement of the Union of Republics of Bosnia and Herzegovina, differences between the two sides exist and there is no specific arrangement which had been worked out between them that would warrant referring to this common acceptance of principles as a joint agreement. It should be noted that the Bosnian Croats and Muslims had both agreed to accept the terms of the Vance-Owen plan, yet this plan was never referred to as a "Croat-Muslim agreement".

In this regard, I wish to draw particular attention to paragraph 31 of the report which states, "the Serb and Croat sides repeatedly referred to the fact that the Muslim-majority republic would contain most of the major population centres of Bosnia and Herzegovina, and also the majority of the industrial centres and natural resources, and that this justified the Serb-majority republic having a higher percentage of the territory than envisaged in the Vance-Owen peace plan." The Government of the Republic of Croatia, whose representatives attended the peace talks in Geneva, can attest to the fact that the Bosnian Croat side never attempted to justify any increase in the size of the proposed Serb "republic" in Bosnia and Herzegovina.

Furthermore, my Government wishes to address the claim, as made in paragraph 14 of the report, that the Bosnian Croat forces are continuing to build up in the Prozor area with the support of the Croatian Army. It must be stated that there are no Croatian Army units involved in the war in the Republic of Bosnia and Herzegovina.

The Croatian Government is aware that there are former members of the Croatian Army who are involved in the hostilities in Bosnia and Herzegovina. These are mostly Croats who are originally from Bosnia and Herzegovina but who had joined the Croatian Army when the war first broke out in Croatia. Especially after the recent Muslim offensive against Croatian populated areas in central Bosnia, many of these individuals have resigned from the Croatian Army in order to join their relatives and friends in the defence of their homes. The Republic of Croatia has no legal or moral right to prevent such actions.

I would kindly request that you have this letter circulated as a document of the Security Council.

(*Signed*) Vladimir DROBNJAK
Chargé d'affaires a.i.
of the Permanent Mission of Croatia
to the United Nations

DOCUMENT S/26284*

Letter dated 6 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*10 August 1993*]

In response to the Secretariat's denial with respect to my letter dated 5 August 1993 [*S/26245*] in which I stated that Serbian forces employed helicopters in an offensive capacity in their latest assaults around Sarajevo, I wish to put forth for your review an Associated Press report, dated 6 August 1993 and an excerpt from an article in the *New York Times*, dated 7 August 1993.

May I ask for your kind assistance in circulating this letter and the attached annex* as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

DOCUMENT S/26287**

Letter dated 9 August 1993 from the representative of Cyprus to the Secretary-General

[*Original: English*]
[*10 August 1993*]

With reference to the letter dated 26 July 1993 from the representative of Turkey and its annex [*S/26170*], it is noted with regret that this is yet another instance of the abuse of the process of circulation of United Nations offficial documents by the Turkish Mission in the name of the so-called "Turkish Republic of Northern Cyprus", an entity recognized by no member of the international community other than Turkey itself and which was rightly described by Security Council in resolution 541 (1983) as legally invalid and incompatible with the Treaty of Establishment [14] of 1960 and the Treaty of Guarantee [15] of 1960. The Security Council, in its resolution 550 (1984), called upon all States "not to facilitate or in any way assist the aforesaid secessionist entity" and, as recently as 25 November 1992, in its resolution 789 (1992), it emphatically reaffirmed the aforesaid resolutions. Yet, once again, we encounter the oxymoron of the Turkish Mission being allowed to abuse the right of a Member State to cause the circulation as United Nations official documents of communications emanating from that unrecognized entity, which the Security Council itself characterized and continues to regard as secessionist and legally invalid and which it called on all States not to facilitate or in any way assist. This paradoxical situation is strongly protested and this abuse should not be allowed to continue.

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* The text of the annex is not reproduced in the present *Supplement*.

** Circulated under the double symbol A/47/998-S/26287.

Concerning the content of the letter of the representative of Turkey and its annex purporting to cast doubt on the validity of my Government's application for accession to the European Community, this is effectively refuted by the Opinion of the Commission of the European Communities on the Application of the Republic of Cyrpus for membership issued on 30 June 1993. It specifically states (*a*) that the application was made by the Government of the Republic of Cyprus recognized by the European Community and its Member States as the only legitimate Government representing the Cypriot people; and (*b*) following the logic of its established position which is consistent with that of the United Nations where the legitimacy of the Government of the Republic of Cyprus and non-recognition of the 'Turkish Republic of Northern Cyprus' are concerned, felt the application was admissible and initiated the procedure laid down by the Treaties in order to examine it.

Furthermore, the Opinion states that the Commission is "convinced that the results of Cyprus's accession to the Community would be increased security and prosperity and that it would help bring the two communities on the island closer together". This is in full accord with my Government's long held and often repeated position and it unequivocally disposes of the further unfounded allegation in the letter under reply that the application poses an obstacle to the efforts for achieving a solution to the Cyprus problem. Indeed the Opinion states that "the leaders of the Turkish Cypriot community are fully conscious of the economic and social benefits that integration with Europe would bring their community", but all Cypriots are not uppermost in the minds of the authors of the letter under reply, who are willing to sacrifice those true interests on the altar of promoting political objectives inconsistent with those interests.

The Government of the Republic of Cyprus, far from putting obstacles in the path of the negotiations for the just, workable and lasting solution of the Cyprus problem, has consistently done its utmost to cooperate and facilitate your tenacious and indefatigable efforts towards that end. It is not only unfounded but also provocative to allege, as the authors of the letter under reply do, that there is lack of political will on the part of the Greek Cypriot side for the negotiated solution when it is well established and universally recognized by members of the Security Council and all those who follow the developments concerning the Cyprus problem that the lack of progress is due to Turkish intransigence and lack of cooperation. This is documented in a plethora of official reports to the Security Council. Suffice it to recall paragraph 49 of your report of 1 July 1993 [*S/26026*], where it is stated:

> "I am dispappointed that despite the assurances he gave me on 1 June in the presence of the President of the Security Council and the representatives of the five permanent members, Mr. Denktaş did not promote the acceptance of the package during his consultations in Nicosia and Ankara. I also deeply regret that Mr. Denktaş failed to honour the agreement of 1 June to resume the joint meetings on 14 June",

which provides the measure of who is to blame for the lack of progress in the ongoing negotiations.

It is evident from the above that the application of the Republic of Cyprus for accession to the European Conmmunity was submitted by its legitimate Government recognized by the United Nations and the entire international community, with the sole exception of Turkey. As such the Government of Cyprus is duly entitled and fully competent to submit the aplication and proceed with the process of accession, which will be indisputably in the best interest of all

Cypriots. It is still to be hoped that, bearing in mind the justified lack of patience of the international community at the lack of progress towards the solution of the Cyprus problem, Ankara and the Turkish Cypriot leadership will revise their so far intransigent attitude and at long last respond positively to your efforts. It is significant that in the Opinion referred to above (para. 51) that:

> "The Commission must envisage the possibility of the failure of the intercommunal talks to produce a political settlement of the Cyprus question in the foreseeable future, in spite of the endeavours of the United Nations Secretary-General. Should this eventuality arise the Commission feels that the situation should be reassessed in view of the positions adopted by each party in the talks and that the question of Cyprus's accession to the Community should be reconsidered in January 1995."

My Government is convinced that a just, workable and lasting solution to the Cyprus problem is to the benefit of all concerned, certainly of the whole people of Cyprus who have suffered for too long, of the United Nations, which devoted much time and efforts over the years, of peace in the region and, not least, of Turkey itself. We submit that this is the constructive way to view the situation and not by negative and contentious actions as we have witnessed too often.

(*Signed*) A. J. JACOVIDES
Permanent Representative
of Cyprus
to the United Nations

DOCUMENT S/26288*

Letter dated 10 August 1993 from the representative of Cyprus to the Secretary-General

[*Original: English*]
[*10 August 1993*]

I have the honour to refer to our communications of 15 October 1992 [*S/24667*] and of January 1993 [*S/25063*]) concerning the demographic structure of the Cypriot communities and the continuing, systematic and planned implantation of Turkish settlers in the occupied areas of Cyprus, and to inform you that the illegal regime in the occupied areas of Cyprus has now "decided" to proceed with the "naturalization" of 5,000 Turkish settlers.

More specifically on the basis of a Turkish-Cypriot newspaper report (*Yeniduzen*, 5 August 1993) and public statements, it has been made known that the illegal regime in the occupied areas of Cyprus has "decided" to proceed with the "naturalization" of 5,000 settlers in view of the forthcoming "elections" in the occupied areas. This blatant disregard of international legality is clearly directed not only against the interests of the people of Cyprus as a whole but additionally demonstrates the means and ends that the illegal occupation "regime" is willing to use and go to, even against the interests of the Turkish-Cypriots themselves, in order to promote its political objectives and designs. This latest manifestation of illegality has come under very strong criticism by a number of Turkish-Cypriot politicians (Messrs. Ozgur, Akinci and Atun) who characterized it as one more effort to change the demographic structure of the occupied areas and the political will of the Turkish-Cypriot community.

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* Circulated under the double symbol A/47/999-S/26228.

As we have repeatedly stated in the past, there has been a deliberate and systematic attempt by the Turkish side, which still continues unabated, to alter the demographic structure of the Republic of Cyprus through the implantation of Turkish settlers who, to date, have reached the number of 80,000 to 85,000 persons. The effects of the implantation of such a large number of settlers become all the more significant and worrisome if one bears in mind that the size of the Turkish-Cypriot community has continuously, throughout this period, diminished by more than one third its original size (approximately 115,000 in 1974), thus making it quite clear that this illegal policy and its negative consequences are not only directed against the Greek-Cypriot community but also against the Turkish-Cypriot community.

As will be recalled from our communication of 15 October 1992, the issue of the alteration of the demographic structure of Cyprus was examined by the Parliamentary Assembly of the Council of Europe, which adopted a relevant resolution on 7 October 1992, following a report of its Committee on Migration, Refugees and Demography. This report was prepared by a special rapporteur on the subject, Mr. Alfons Cuco (Spain), who visited Cyprus and examined the problem on the spot. To quote from the resolution, the Council of Europe determined that "the presence and naturalization of the Turkish migrants, who once established on the island become settlers, constitute an additional obstacle to a peaceful, negotiated solution of the Cypriot conflict" (para. 8). Similarly in the recent Opinion issued by the Commission of the European Community on the Application of the Government of the Republic of Cyprus for membership in the Community,[12] the problem of the settlers and the Turkish army in the occupied areas of Cyprus is highlighted by also making the point that "part of the Turkish-Cypriot population that was present on the island in 1974 has since emigrated" (para. 13).

In concluding, let me reiterate our conviction that the solution of the Cyprus problem can only be achieved through the respect of international legality, the implementation of the relevant United Nations resolutions and the manifestation, in a practical manner, of good will in your efforts to achieve a viable, just and workable solution. The Turkish policy of confronting the whole world with new and additional "*faits accomplis*" and the intransigence and bad faith shown in the course of the negotiations cannot but further exacerbate the situation and make the solution of the Cyprus problem all the more difficult to achieve.

I should be grateful if the text could be circulated as a document of the General Assembly and of the Security Council.

(*Signed*) A. J. JACOVIDES
Permanent Representative
of Cyprus
to the United Nations

DOCUMENT S/26289

Letter dated 10 August 1993 from the representative of Croatia to the Secretary-General

[*Original: English*]
[*11 August 1993*]

I have the honour to submit, enclosed herewith, a letter by the Prime Minister of the Republic of Croatia Mr. Nikica Valentic, addressed to you.

I would be grateful if you would provide for the distribution of this letter as a document of the Security Council.

(*Signed*) Vladimir DROBNJAK
Chargé d'affaires a.i.
of the Permanent Mission of Croatia
to the United Nations

LETTER DATED 10 AUGUST 1993 FROM THE PRIME MINISTER OF CROATIA TO THE SECRETARY-GENERAL

I am writing in connection with the latest extremely serious situation caused by the bombardment of the site of the newly installed pontoon bridge over the Maslenica straits. As you are probably well aware, the bridge was opened for traffic on 18 July 1993 and subsequently damaged by Serb artillery on 1 August of this year. The location was shelled afterwards, with the latest attack taking place on 9 August.

It is a legitimate right of the Republic of Croatia to install the bridge for civilian, humanitarian and commercial traffic - this right was confirmed by Security Council resolution 847 (1993). The opening of the bridge was necessitated by, among other reasons, the suspension of traffic over the damaged Pag bridge, the only remaining land transportation route in the region.

In addition to the attacks on the Maslenica bridge, Serb rebels have used their strongholds in the United Nations Protected Areas (UNPAs) to launch artillery and rocket attacks on a series of towns and villages throughout the Republic of Croatia, with the obvious intention of provoking a new war. They have even flown warplanes and helicopters over the territory of the Republic of Croatia in the Zupanja area. At the same time, they continue to totally reject and violate all pertinent decisions of the international community, notably the relevant Security Council resolutions.

We consider the implementation of relevant Security Council resolutions to be the principal task of all parties concerned, primarily the United Nations and their forces in Croatia, whose very presence and operations in the Republic of Croatia are based on these international instruments. Under these circumstances, in which there is no clearly defined powers to act within an efficient mandate, the United Nations Protection Force (UNPROFOR) has not made any progress in implementing the decisions of the international community, even failing to stop the Serb attacks from the UNPAs, in which ethnic cleansing, persecutions and killings of the non-Serb population continue.

The Republic of Croatia has always been genuinely cooperative and shown maximum patience in seeking a negotiated settlement in compliance with the existing international decisions. However, it must be noted that such a situation cannot be tolerated indefinitely.

Considering the recent dangerous developments, the Republic of Croatia requests that strong pressure be applied on the Serbian authorities in Knin to stop the shelling of the Maslenica area and allow for the repair of the bridge in the next few days. To this end, all necessary preparations have already been made. We request the UNPROFOR to deploy its forces in the area of the Maslenica bridge, including the bridge itself, and at Zemunik airport. Technical assistance in the renewal of the bridge would be appreciated. In view of the imminent suspension of any freight traffic over the Pag bridge, the Maslenica bridge remains the only land link to southern Croatia for truck traffic, including humanitarian convoys bringing assistance to displaced persons and refugees. The same route is also needed for the transit of substantial humanitarian supplies to the Republic of Bosnia and Herzegovina. Considering the present needs of the civilian population which exist there, and the fact that winter is pproaching, severe consequences may result if the bridge is not opened.

Expecting your full understanding, support and assistance in ese extremely important matters.

(*Signed*) Nikica VALENTIC
Prime Minister

DOCUMENT S/26290*

etter dated 10 August 1993 from the representatives of azakhstan, Kyrgyzstan, the Russian Federation and Tajikistan to the Secretary-General

[*Original: Russian*]
[*11 August 1993*]

On instructions from our Governments, we have the honour to ansmit the texts of the Declaration on the Inviolability of Frontiers nnex I), an announcement of measures for the normalization of the tuation on the Tajik-Afghan frontier (annex II) and a message ddressed to you by the Ministers for Foreign Affairs of the epublic of Kazakhstan, the Republic of Kyrgyzstan, the Russian ederation, the Republic of Tajikistan and the Republic of zbekistan (annex III). These documents were adopted at a meeting f the heads of State of Kazakhstan, Kyrgyzstan, the Russian ederation, Tajikistan and Uzbekistan, held in Moscow on 7 August 993.

We should be grateful if you would have this letter and the nnexes circulated as official documents of the General Assembly nd of the Security Council.

ermanent Representative of the
epublic of Kazakhstan to the
nited Nations

Signed) A. ARYSTANBEKOVA

Acting Permanent Representative of
the Republic of Kyrgyzstan to the
United Nations

(*Signed*) T. CHINETOV

ermanent Representative of the
ussian Federation to the
nited Nations

Signed) Y. VORONTSOV

Permanent Representative of the
Republic of Tajikistan to the
United Nations

(*Signed*) L. KAYUMOV

ANNEX I

Declaration on the Inviolability of Frontiers

The signatories to this declaration,

Reaffirming their commitment to the Charter of the United Nations, the rinciples of the Conference on Security and Cooperation in Europe and the ounding instruments of the Commonwealth of Independent States,

Emphasizing that the inviolability of frontiers and the territorial integrity f States are basic principles in international relations and their observance s an essential condition for maintaining international peace, security and tability,

Recalling that, under the Charter of the United Nations, the territory of States is inviolable and may not be the object of the use of force,

Concerned at the serious violations of their frontiers committed by countries which are not part of the Commonwealth of Independent States,

On the basis of the inherent right of individual or collective self-defence under Article 51 of the Charter of the United Nations,

Declare the following:

1. The signatories to this declaration consider that ensuring the inviolability of their frontiers is of vital mutual interest and is a common duty to be carried out on a multilateral or bilateral basis.

2. The signatories to this declaration will continue to view any and all encroachments upon their frontiers as illegal acts which are grounds for adopting reciprocal and commensurate measures under international law, including the use of armed force, as a form of individual or collective self-defence. They shall work together to prevent and put an end to any outside attempt to encroach upon the territory of any of the States which are signatories to this declaration.

3. The signatories to this declaration will continue to put an end to any action carried out on their territory by individuals, groups or organizations which is aimed at breaching the inviolability of the frontiers of these States.

4. The signatories to this declaration shall be collectively responsible for the inviolability of their frontiers with third-party States. At the same time, none of the signatories to this declaration has the obligation to unilaterally ensure the security of the frontiers of another State.

5. The signatories to this declaration reaffirm their willingness, by means of negotiations involving all the parties concerned, to find a way to terminate and prevent armed conflicts along frontiers.

6. The internal stability of the States which are signatories to this declaration is a prerequisite condition of the security of their frontiers. To this end, each State shall take appropriate steps to strengthen its democratic institutions and achieve national harmony on the basis of respect for human rights and fundamental freedoms.

7. The signatories to this declaration are counting on neighbouring States and the international community in general for their support and understanding of the situation.

(*Signed*)

For the Republic of Kazakhstan

N. NAZARBAYEV

For the Russian Federation

B. YELTSIN

For the Republic of Kyrgyzstan

A. AKAYEV

For the Republic of Tajikistan

E. RAKHMONOV

For the Republic of Uzbekistan

I. KARIMOV

ANNEX II

Announcement of measures for the normalization of the situation on the Tajik-Afghan frontier

The heads of State of the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan met in Moscow on 7 August 1993 in order to elaborate measures to bring about the normalization of the situation on the Tajik-Afghan frontier.

Those participating in the meeting expressed their deep concern at the serious aggravation of the situation. Particularly alarming are the actions by fighters from the Tajik opposition and the individual Afghan armed groups that support them and the systematic incursions into the territory of Tajikistan, which have resulted in an increasing number of victims among the civilian population, frontier guards and other military personnel.

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* Circulated under the double symbol A/48/304-S/26290.

The heads of State proclaim the following:

1. The Republic of Kazakhstan, the Republic of Kyrgyzstan, the Russian Federation and the Republic of Uzbekistan, guided by the founding instruments of the Commonwealth of Independent States and bilateral agreements with the Republic of Tajikistan, consider the Tajik-Afghan frontier as part of the common frontier of the Commonwealth of Independent States.

2. All urgent and necessary measures to ensure security on the Tajik-Afghan frontier will be adopted and, to this end, the contingent guarding the frontier will be reinforced with frontier troops and armed forces from Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan.

3. The Republic of Tajikistan will receive additional military, economic and humanitarian assistance, including assistance to enable it to expedite the establishment of national armed forces and frontier troops capable of independently defending the sovereignty and territorial integrity of its State.

4. If armed attacks from the outside continue, reciprocal and commensurate measures will be taken to stop them, as envisaged by the Treaty on Collective Security concluded between the countries of the Commonwealth of Independent States and by bilateral agreements with Tajikistan, and in accordance with the right of individual or collective self-defence provided for in Article 51 of the Charter of the United Nations.

5. The States present at the meeting believe a political settlement is crucial and wholly possible, and they are willing to participate actively in the search for such a solution.

6. The Government of the Republic of Tajikistan will receive full support in its resolve to use all the political means at its disposal in order to further the peace process and engage in dialogue with political forces of differing views with a view to attaining civil and national harmony and establishing a basis for the democratic development of the country.

7. The willingness to build good-neighbourly relations and cooperation with Afghanistan in the interests of peace and stability in the region is confirmed. At the same time, it is expected that Afghanistan will adopt urgent measures banning the use of Afghan territory to launch hostile actions against neighbouring States and interfere in their internal affairs.

Those participating in the meeting appeal to the international community to support all efforts aimed at normalizing the situation on the Tajik-Afghan frontier and at reaching a political settlement in Tajikistan. They also hope that all the countries of the region will promote the peace process and urge the armed Tajik opposition to put an end to the bloodshed and begin constructive dialogue. They are open to cooperation with these countries and are ready to send their special representatives to conduct negotiations to find ways to accelerate a peaceful settlement.

The heads of these five States are counting on the United Nations and the Conference on Security and Cooperation in Europe to support their efforts and to send United Nations observers to the Tajik-Afghan frontier and provide humanitarian and technical assistance.

Those participating in the meeting appeal to all States members of the Commonwealth of Independent States to provide Tajikistan with assistance in dealing with the aftermath of the conflict.

(*Signed*)

President of the Republic of Kazakhstan

N. NAZARBAYEV

President of the Republic of Kyrgyzstan

A. AKAYEV

President of the Russian Federation

B. YELTSIN

President of the Supreme Council of the Republic of Tajikistan

E. RAKHMONOV

President of the Republic of Uzbekistan

I. KARIMOV

ANNEX III

Message from the Ministers for Foreign Affairs of Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan to the Secretary-General

Our message to you is necessitated by the serious aggravation of the situation on the Tajik-Afghan frontier. The matter has led to large-scale attacks against the territory of the Republic of Tajikistan - a sovereign State, which is a Member of the United Nations. Recently, specific military operations have been undertaken aimed at breaching the frontier and stirring up armed conflict in Tajikistan. As a result of shelling and attacks by fighters from the Tajik opposition and individual Afghan armed groups that support them, there has been an increasing number of victims among the peaceful population and our soldiers taking part in defending the State frontier of Tajikistan are dying.

Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan signed the Treaty on Collective Security within the framework of the Commonwealth of Independent States. In accordance with this Treaty and in implementation of the right of individual and collective self-defence under Article 51 of the Charter of the United Nations, we have taken a decision to provide Tajikistan with emergency supplementary assistance, including military assistance.

Our choice is not methods based on the use of force, but rather the search for a political settlement. We believe that the possibilities for such a settlement exist. We hope that in Afghanistan also a responsible approach will prevail and effective steps will be taken to prevent armed incursions into the territory of Tajikistan.

We are open to a broad and constructive dialogue with Afghanistan, the other States of the region and all parties concerned.

We address an urgent appeal to you to assist our efforts in this area.

Taking into account the threat to peace and security in the region, we request the Security Council to consider immediately the critical situation that has arisen on the Tajik-Afghan frontier and to take measures to ensure its inviolability, including the possible sending of United Nations observers.

(*Signed*)

Minister for Foreign Affairs of the Republic of Kazakhstan

T. SULEIMENOV

Minister for Foreign Affairs of the Republic of Kyrgyzstan

E. KARABAEV

Minister for Foreign Affairs of the Republic of Tajikistan

R. ALIMOV

Minister for Foreign Affairs of the Republic of Uzbekistan

S. SAIDKASYMOV

Minister for Foreign Affairs of the Russian Federation

A. KOZYREV

DOCUMENT S/26291

Letter dated 9 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*12 August 1993*]

I have the honour to refer to Security Council resolution 797 (1992) of 16 December 1992, by which the Council decided to establish a United Nations Operation in Mozambique (ONUMOZ), and to my previous letters concerning the composition of the military component of Operation.

Having completed additional consultations, I propose that the military elements of ONUMOZ be also composed of a contingent from the United States of America, which has expressed its readiness in principle to make the necessary personnel available.

I should be grateful if you would bring these matters to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26293

Letter dated 11 August 1993 from the representative of Armenia to the Secretary-General

[*Original: English*]
[*11 August 1993*]

I have the honour to transmit to you herewith enclosed the letter of 11 August 1993 of Mr. Karen Barburian, the Chairman of the Supreme Council of Nagorny Karabakh.

I should be grateful if you would circulate Mr. Baburian's letter as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE LETTER

[*Original: Russian*]

Once again I am compelled to write to you in connection with the escalation of Azerbaijan's aggression against the Nagorny Karabakh Republic. Over the last few days, the armed forces of Azerbaijan have violated the bilateral agreement on the most recent three-day cease-fire and embarked on a large-scale offensive along practically the entire front, accompanied by the mass shelling and bombing of peaceful settlements with artillery and attack aircraft. Unfortunately, the violation of the agreements took place after the adoption of Security Council resolution 853 (1993) and, on behalf of the leaders of the Nagorny Karabakh Republic, I therefore appeal to you and to all the States members of the Security Council, to promote the development of direct bilateral contacts and to help arrange a high-level meeting between the leaders of Azerbaijan and the Nagorny Karabakh Republic.

According to information we have received, in recent days Azerbaijan has been preparing new, more vigorous offensives, which will threaten the security of the peaceful population of an entire number of districts in our Republic. If it goes ahead with these plans, Azerbaijan will bear full responsibility for any consequences.

The leaders of the Nagorny Karabakh Republic request you and the Security Council to consider, as a matter of urgency, the problem of these latest developments and to condemn the actions by Azerbaijan, which threaten to derail the peace process.

DOCUMENT S/26295[*]

Letter dated 10 August 1993 from the representative of Rwanda to the Secretary-General

[*Original: French*]
[*12 August 1993*]

I have the honour to refer to the letter dated 3 August 1993 addressed to you by Major General Habyarimana Juvenal, President of the Rwandese Republic, which was handed to Mr. Vladimir Petrovsky, Director-General of the United Nations Office at Geneva and Representative of the Secretary-General of the United Nations, at the time of the signing of the Arusha Peace Agreement between the Government of the Rwandese Republic and the Rwandese Patriotic Front on 4 August 1993.

I should be grateful if you would have this letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Chaste ABIMANA
Chargé d'affaires a.i.
of the Permanent Mission of Rwanda
to the United Nations

LETTER DATED 3 AUGUST 1993 FROM THE PRESIDENT OF RWANDA TO THE SECRETARY-GENERAL

I have the honour to entrust to your Representative the Peace Agreement which, on behalf of the Rwandese Government and people, I have just signed with the President of the Rwandese Patriotic Front and which puts an end to a war that has engulfed Rwanda in horror for nearly three years.

I am pleased that my people can now find peace again and forge a new society open to all its daughters and sons. I am pleased in this context to look forward in the near future to the definitive settlement of the problem of all the Rwandese refugees throughout the world and the return of the many persons displaced by war to their lands, in all security.

The signature of the Peace Agreement of 4 August 1993 constitutes a major event for Rwanda and for our whole region. It prompts me to pay tribute to all, countries and personalities, who have been its architects. We shall never cease to be grateful to all of Rwanda's neighbours, most especially the Republic of Zaire, the mediator, and the United Republic of Tanzania, facilitator, the many friendly countries, including Belgium, France, the United States of America and the Federal Republic of Germany, as well as the international organizations, in particular the United Nations, the Organization of African Unity and the humanitarian assistance organizations, for all that they have done to ensure that the peace negotiations were successful and Rwanda received the assistance needed to survive this war until the Peace Agreement was concluded.

Today, on 4 August 1993, we have just turned a page in the history of our country. We are aware that it was necessary, but we are also convinced of the necessity of accompanying this Peace Agreement with an international guarantee, by providing all the safeguards and preventing any danger from blocking the message of peace carried by this Agreement.

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[*] Circulated under the double symbol A/48/308-S/26295.

I therefore take the liberty of addressing this letter to you, in order to reiterate my hope that you will reserve the advantage of extreme urgency for the request addressed to you jointly by the Rwandese Government and the Rwandese Patriotic Front on 11 June 1993 concerning the deployment of the neutral international force [*see S/25951*].

Now that the Peace Agreement has been signed, in the presence of the most highly placed personalities of our region and many friendly countries, in the presence of the Representatives of the Secretary-General of the United Nations and the Secretary-General of the Organization of African Unity, I should like to express the wish that the international community may guarantee strict respect for this Agreement by giving the former conflicting parties the proof that their respective security is ensured.

I am therefore grateful for all that you will do to ensure that our world Organization can take appropriate and prompt steps to ensure that the Peace Agreement signed this day between the Rwandese Government and the Rwandese Patriotic Front is in no way disrupted but, on the contrary, strictly respected by all the parties.

I reiterate my best wishes and my appreciation for such steps as you may take for the rapid deployment of the neutral international force, with a view to the strictest respect for the Peace Agreement that has just been signed.

(*Signed*) Major General HABYARIMANA Juvénal
President of the Republic

DOCUMENT S/26296

Letter dated 12 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*12 August 1993*]

I have the honour to submit to you the attached letter, dated 12 August 1993, by the Vice President of the Republic of Bosnia and Herzegovina, Mr. Ejup Ganic.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 12 AUGUST 1993 FROM THE VICE PRESIDENT OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

I must inform the Security Council that during the night of Wednesday, 11 August, and early morning of Thursday, 12 August, Serbian aggressor forces led by Mr. Karadzic and Mr. Mladic stationed rockets on Mount Igman. It appears that the Serbian aggressors are positioning themselves to use United Nations Protection Force (UNPROFOR) forces as a shield after recent commitments made by the North Atlantic Treaty Organization (NATO) and United Nations Member States to end the strangulation of Sarajevo. At the same time, the aggressor's goal is to avoid the intended effect of the NATO and United Nations commitments and enable their forces to maintain an offensive capacity by keeping heavy artillery rockets aimed at Sarajevo. I believe that UNPROFOR knows of this positioning of heavy artillery rockets but is not making the information public. UNPROFOR is also aware of our inability to communicate easily with the outside world and the disadvantageous position this puts us in.

I must also point out that even without the constant shelling of Sarajevo, 20 to 30 children and elderly will die due to infection and exhaustion daily. While UNPROFOR celebrates the short-term decrease of bombardment as a victory, we in Sarajevo, as well as throughout Bosnia and Herzegovina continue to be killed directly and indirectly by the continued aggression and its effects. UNPROFOR should not report recent events so optimistically when people continue to be murdered. Sarajevo continues to be strangled and the capacity to unleash an even deadlier onslaught is being put into place.

(*Signed*) Ejup GANIC
Vice President
of the Republic of Bosnia and Herzegovina

DOCUMENT S/26297[*]

Report of the Secretary-General

[*Original: English/French*]
[*13 August 1993*]

1. The present report is a follow-up to the report dated 12 July 1993 [*S/26063*] by which the Secretary-General informed the Security Council of the signature of the Governors Island Agreement. It is being submitted in pursuance of paragraph 15 of resolution 841 (1993) of 16 June 1993, in which the Council requested the Secretary-General to report to it on progress achieved in the efforts jointly undertaken by him and the Secretary-General of the Organization of American States (OAS) with a view to reaching a political solution to the crisis in Haiti.

2. Following the signature of the Governors Island Agreement on 3 July 1993, Mr. Dante Caputo, the Special Envoy of the Secretaries-General of the United Nations and OAS, invited the representatives of the main political forces in Haiti and of the political blocs in Parliament to participate, together with the members of the Presidential Commission which represents President Aristide in Haiti, at a political dialogue to discuss the agenda set forth in point 1 of the Governors Island Agreement.

3. The inter-Haitian political dialogue convened at United Nations Headquarters from 14 to 16 July 1993. At its conclusion the participants signed a new document, known as the New York Pact, which provides for a political truce of six months' duration, a procedure to enable Parliament to resume its normal functioning, and agreements for the early confirmation of the Prime Minister nominated by the President to head a Government of national concord, and for the adoption of the legal instruments necessary for ensuring the transition. (The text of the New York Pact is reproduced in the annex to the present report.)

4. Under the Pact, the political forces and parliamentary blocs have undertaken *inter alia* to refrain from tabling in Parliament any motion of no-confidence against the new Government of national concord, to secure the immediate release of all persons detained for offences relating to their views (*délits d'opinion*) and to have the status of prisoners reviewed, to promote the establishment of a Compensation Commission for the victims of the *coup d'état*, and to ensure the confirmation of the new Prime Minister without delay.

5. The signatories of the Pact have also undertaken to ensure the passage by Parliament of a series of bills under an emergency

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[*] Circulated under the double symbol A/47/1000-S/26297

procedure, including those regarding the establishment of a new police force, an amnesty, the abolition of all paramilitary forces, the establishment of a Citizens' Protection Bureau, and the reform of the administration of justice system.

6. The Pact reaffirms the right of the Executive, within the framework of its powers, to review the various decrees and orders adopted in the period from 30 September 1991 to 3 July 1993 that are not in accordance with the Constitution, in particular, the order setting up the Permanent Emergency Electoral Council.

7. As regards the 13 Members of Parliament who derived their mandate from the partial elections held on 18 January 1993, which had been declared illegitimate by the General Assembly in its resolution 47/20 B of 20 April 1993 and by the Permanent Council of OAS, it was agreed that they should voluntarily refrain from occupying their parliamentary seats until such time as the Conciliation Commission, an organ established under the Constitution but whose functioning requires the adoption by Parliament of a law under the emergency procedure, had definitively pronounced itself on the matter.

8. It is the understanding of the Secretary-General that the formula agreed to under paragraph 6 of the Pact signifies that the members of the Senate and of the Chamber of Deputies who derive their mandate from the contested elections of 18 January 1993 are to abstain from participating in any business of the Parliament, including intervention in the debate and voting. Failure to comply with this formula would constitute, in his view, a serious breach of the Governors Island Agreement, which would be immediately reported to the Security Council. The Secretary-General further considers that the decision to refer the matter to the Conciliation Commission is not based upon any finding that there exists any conflict between the Executive and the Legislature or between the two Chambers of Parliament, but is a product of a political agreement to overcome an exceptional crisis. During the political dialogue, the Special Envoy repeated that the position of the United Nations with regard to the legitimacy of the January elections remained unchanged.

9. The undertakings enshrined in the Pact, like all agreements arrived at under the Governors Island Agreement, are subject to verification by the United Nations and by OAS.

10. The Secretary-General wishes to express his appreciation for the efforts undertaken during the inter-Haitian political dialogue by the Governments of Canada, France, the United States and Venezuela as "Friends of the Secretary-General", and on whose continued assistance he is relying during the implementation phase of the agreements.

11. On 24 July 1993, President Jean-Bertrand Aristide informed the Presidents of the two Chambers of Parliament of his intention to nominate Mr. Robert Malval as Prime Minister. A new bureau was elected in the Chamber of Deputies on 22 and 28 July and in the Senate on 10 August. With the normalization of Parliament, the way has been cleared for the ratification of the Prime Minister. When the new Prime Minister receives a vote of confidence from the two Chambers of Parliament, the three first points in the Governors Island Agreement will have been duly carried out.

12. As soon as the Prime Minister has taken office, the Secretary-General, as proposed in his previous report [*ibid.*] and agreed in the letter addressed to him by the President of the Security Council on 15 July 1993 [*S/26085*], will recommend to the Security Council that the sanctions it imposed by resolution 841 (1993) should immediately be suspended. The suspension will automatically be terminated and sanctions reimposed if at any time he, having regard to the view of the Secretary-General of OAS, reports to the Council that the parties to the Governors Island Agreement or any authorities in Haiti have failed to comply in good faith with the Agreement. Some of the circumstances which would lead the Secretary-General to conclude that such a breach had occurred are spelt out in paragraph 8 above and in paragraph 11 of his previous report.

ANNEX

[*Original: French*]

New York Pact

1. In the spirit of the Governors Island Agreement of 3 July 1993, the political forces and parliamentary blocs signatories to the present Agreement undertake to observe a political truce to guarantee a smooth and peaceful transition. The duration of this truce shall be six months, beginning upon signature of the present document. The objective of the truce is to create throughout the country a climate of pacification to facilitate the work of the Government of national concord. The signatories therefore appeal to all social sectors to put an end to all forms of violence.

2. The political forces and parliamentary blocs:

(*a*) Undertake to refrain during this period from tabling any motion of no-confidence against the new Government of national concord, in so far as the Executive scrupulously respects the Constitution and the laws of the Republic, and undertake to guarantee that there is a quorum as a result of their presence and not to obstruct the work of Parliament.

(*b*) Call upon the Haitian Armed Forces to respect the Agreement signed on 3 July at Governors Island.

(*c*) Call for an end to arbitrary practices from whatever quarter, particularly unlawful arrests, physical torture, disappearances, political assassinations and personal revenge.

(*d*) Undertake to secure the immediate release of all persons detained for offences relating to the views they hold and to have the status of prisoners throughout the territory of Haiti reviewed, on the basis of an accelerated procedure.

(*e*) Undertake to take all the necessary steps to promote and guarantee full respect for human rights and fundamental freedoms.

(*f*) Undertake, pending the establishment of the Citizens' Protection Bureau, to promote the establishment of a Compensation Commission for the victims of the *coup d'état*.

(*g*) Undertake to refrain from any kind of action that could lead to violence or disrupt the transition to democracy.

(*h*) Undertake to promote the immediate reform of the judicial system.

3. The political forces and parliamentary blocs, with a view to ensuring the prompt restoration of constitutional order:

(*a*) Invite the President of the Republic to nominate as soon as possible the new Prime Minister of national concord, in accordance with the Constitution.

(*b*) Undertake to ensure the confirmation of the new Prime Minister selected, in accordance with the Constitution, without delay.

4. The political forces and parliamentary blocs undertake to ensure that the following laws are passed, on the basis of an emergency procedure:

(*a*) Act on the establishment, organization and operation of the Police Force, in accordance with article 263 of the Constitution.

(*b*) Act concerning the amnesty.

(*c*) Act establishing a compensation fund for the victims of the *coup d'état*.

(*d*) Act concerning the abolition of all paramilitary forces, in accordance with article 263-1 of the Constitution.

(*e*) Act concerning the establishment, organization and operation of the Citizens' Protection Bureau.

(*f*) Act on territorial authorities.

(*g*) Act on prison administration.

(*h*) Act concerning the establishment, organization and operation of the Conciliation Commission.

(*i*) Act on university reform and autonomy.

5. The Executive, within the framework of its powers, may begin the procedure of reviewing the various decrees and decisions adopted in the period from 30 September 1991 to 3 July 1993 that are not in accordance with the current Constitution, first and foremost Order no. 101, of 7 December 1992, setting up the Permanent Emergency Electoral Council.

6. The solution of the political crisis and the social pacification of the country call for a solution to the problem of the presence in Parliament of citizens elected as a result of the contested elections of 18 January 1993. To that end, it has been agreed that the members of Parliament elected as a result of those elections shall undertake not to obstruct the operation of the parliamentary institution and that they shall voluntarily refrain from occupying their parliamentary seats until such time as the constitutional institution empowered to consider this dispute has rendered its verdict.

In view of the fact that, under paragraph 4 of this agreement, the Act establishing the Conciliation Commission is to be adopted as soon as possible after the installation of the Government of national concord, it has been agreed that once that Commission has been set up the matter in dispute shall be referred to the Commission.

The United Nations and OAS undertake, by making two experts available, to make a technical and juridical contribution to the preparation of the Act establishing the Conciliation Commission and to its implementation.

It has also been agreed that the Conciliation Commission shall be the only body in the country called upon to pronounce definitively on this issue.

DONE at United Nations Headquarters, New York,
on 16 July 1993.

DOCUMENT S/26300

Letter dated 12 August 1993 from the representative of Croatia to the Secretary-General

[*Original: English*]
[*13 August 1993*]

I have the honour to submit herewith a letter by the Minister for Foreign Affairs of Croatia, Mr. Mate Granic, addressed to you.

I would be grateful if you would provide for the distribution of this letter and its annex as a document of the Security Council.

(*Signed*) Vladimir DROBNJAK
Chargé d'affaires a.i.
of the Permanent Mission of Croatia
to the United Nations

LETTER DATED 12 AUGUST 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF CROATIA TO THE SECRETARY-GENERAL

On behalf of my Government, I would like to state the position of Croatia concerning the unimpeded construction of the Maslenica bridge and the undisturbed flow of traffic over it, which was provided for in the agreement of 15-16 July 1993, providing for the withdrawal of Croatian armed forces from the area of Maslenica, Zemunik and Peruca as soon as the United Nations Protection Force (UNPROFOR) takes effective control over these areas.

The signature of the Croatian Government resulted from a bona fide approach that includes participation of the local Serbs in the negotiations on a comprehensive settlement of all disputes within the political framework determined by Security Council resolutions 802 (1993), 815 (1993) and 847 (1993). It was the understanding of the Croatian delegation that, in addition to the 15-16 July 1993 agreement, an additional agreement would be signed on a comprehensive cease-fire affecting all the lines of confrontation. Yet, at the decisive moment, the delegation of local Serbs from Knin decided not to sign the text that had been preliminarily agreed upon, until the Croatian side had implemented the 15-16 July 1993 agreement.

The pressure exerted in that way by the local Serbs from Knin was not acceptable to our delegation, which insisted that the signing of the cease-fire agreement, as called for in paragraph 5 of the 15-16 July 1993 agreement, is a prerequisite for any unilateral and temporary withdrawal of Croatian armed forces from any part of the territory of the Republic of Croatia.

After the attacks of the Serbian insurgents on the Maslenica bridge, the destruction of one part of the bridge and the continuing shelling that prevents the repair of this solely civilian object, my Government is compelled to consider the 15-16 July 1993 agreement void, and to request the immediate and unconditional implementation of the measures that were proposed in the reports of the Secretary-General and their annexes [*S/23280, S/23592, S/23513 and S/24353*] and in the stipulations contained in Security Council resolutions 724 (1991), 740 (1992), 752 (1992), 762 (1992), 769 (1992), 802 (1993), 815 (1993) and 847 (1993).

The measures which are foreseen in the above-mentioned reports and resolutions include not only taking control of heavy weapons, but also the disbanding and demobilization of all paramilitary, irregular and volunteer units in the United Nations Protected Areas, as well as the banning of the wearing of uniforms or carrying of weapons by the personnel from these units. Unfortunately, the present situation is in disturbing contrast to these provisions and attacks by local Serbs on Croatian civilian targets are continuing.

The Government of Croatia is willing to continue its dialogue and to promote confidence-building measures meant to demonstrate its desire to proceed with the reintegration of the United Nations Protected Areas in a peaceful manner. However, it is difficult to do this as long as Serbian paramilitary forces continue to threaten the sovereignty and territorial integrity of Croatia. In this context, I have to stress that the decision by the "Government" of the "Republic of Serbian Krajina", communicated to the diplomatic and consular missions in Belgrade, that it "will negotiate with the Republic of Croatia on an equal State-entity basis", is insulting and totally unacceptable to the Republic of Croatia. The United Nations Protected Areas are an integral part of the territory of Croatia as emphasized in resolutions 815 (1993) and 847 (1993), and we consider that these negotiations have to be an entirely internal matter of the Republic of Croatia, in which UNPROFOR and the officials of the International Conference on the Former Yugoslavia are only unbiased mediators.

In our view, the reports of UNPROFOR regarding the situation in Croatia have become increasingly slanted in recent weeks, often disregarding information that would describe the hostile actions by the Serbian paramilitary units. While supporting the activities of peace-keeping forces on our territory until the expiration of the present mandate, we strongly believe that the members of the

Security Council and the international community as a whole are entitled to have objective and unbiased information about the situation on the ground. We would like to see UNPROFOR finally acting in accordance with the relevant Security Council resolutions, especially those that emphasize the sovereignty of the Republic of Croatia over its entire internationally recognized territory.

We call once again upon the international community to exert pressure on the Serbian insurgents in the Republic of Croatia to obey the decisions of the Security Council which are stated in numerous resolutions, or to face the necessary consequences. It is the firm belief of my Government that the relevant Security Council decisions contain all the provisions for the restoration of a just peace in my country. My Government is committed to fulfilling all its obligations, but we cannot agree with anything less than full implementation of all the relevant resolutions of the Security Council.

I would request your kind assistance in distributing this letter as a document of the Security Council.

(*Signed*) Mate GRANIĆ
Minister for Foreign Affairs

DOCUMENT S/26302

Letter dated 12 August 1993 from the representative of Iraq to the President of the Security Council

[*Original: Arabic*]
[*13 August 1993*]

On instructions from my Government, I have the honour to transmit to you herewith information bulletins on the measures taken by Iraq in fulfilment of the requirements of Security Council resolution 687 (1991) during the month of June (annex I) and during the month of July (annex II).

I should be grateful if you would have this letter and its annexes circulated as a document of the Security Council.

(*Signed*) Nizar HAMDOON
Permanent Representative
of Iraq
to the United Nations

ANNEX I

Measures taken by Iraq in fulfilment of the requirements of Security Council resolution 687 (1991) during the month of June 1993

I. SECTION C OF RESOLUTION 687 (1991)

1. *Chemical Destruction Group (UNSCOM 38)*

The Chemical Destruction Group, which has been based in Iraq since 18 June 1992, continued work at the Muthanna site as usual. The Group supervises the destruction of chemical ordnance by the Iraqi side.

The Iraqi side and the Group proceeded to destroy the chemical equipment that had previously been at Fallujah. The Iraqi side had sought to make use of the equipment in a civilian plant for the production of agricultural pesticides, but the Special Commission rejected the request and insisted that the equipment be destroyed.

2. *UNSCOM 57 ballistic missile team*

UNSCOM 57, a ballistic missile team comprising 16 inspectors from the Special Commission and the International Atomic Energy Agency (IAEA) and led by the French national Patrice Palanque, arrived in the country on 4 June 1993. The team visited 21 sites, some of them several times. The purpose of the visit was to assess local capabilities in the fabrication of liquid-fuel propulsion motors and control and guidance equipment and to evaluate precision machinery.

The team sought to install cameras at the Rafah and Mu'tasim sites for purposes of future monitoring, and the Iraqi side requested that a decision on the matter be postponed until after the comprehensive assessment was made of the extent to which resolution 687 (1991) had been implemented on the occasion of the talks to be held by the Special Commission and the Iraqi side in New York on 12 July 1993.

The team left for Bahrain on 28 June 1993.

3. *UNSCOM 59 ballistic missile team*

The UNSCOM 59 ballistic missile team was formed on 27 June 1993 under the leadership of the Russian national Nikita Smidovich and comprised 10 inspectors from the Chemical Destruction Group and the Aerial Inspection Team. It made unannounced visits to the technical corps at Taji and the civilian project 144 in order to investigate, as the Chief Inspector claimed, the possible presence of chemical ordnance. The team verified that these assertions were untrue. It also sought to install permanent monitoring cameras at the Rafah and Mu'tasim sites, and the Iraqi side reiterated its previous position with respect to the postponement of consideration of the matter until after the technical talks between the Iraqi side and the Special Commission.

The team left for Bahrain on 5 July 1993.

4. *IAEA 20 nuclear inspection team*

The IAEA 20 nuclear inspection team, comprising 10 inspectors and led by Mr. Robert Kelley, was in Iraq from 25 to 30 June 1993 and visited Tuwaitha, Jurf al-Naddaf, Al-Nida' State Establishment, Badr Establishment, Al-Furat site, 7 Nisan Establishment, and the tubular steel and bicycle factory. The team also held three meetings with the Iraqi side at which it asked many questions and the Iraqi side provided full answers. The Chief Inspector submitted six letters, and some of them were answered in the course of the meetings and the others will be answered later.

The Chief Inspector held a press conference at which he spoke of what had been accomplished during the visit, describing it as a successful one.

He stated that the Iraqi nuclear programme had been terminated and destroyed, and he denied that Iraq was concealing a secret nuclear reactor as reported by Western intelligence and information agencies.

5. *UNSCOM helicopter unit*

During the month of June 1993, the unit carried out the tasks entrusted to it with the cooperation and assistance of the Iraqi side, making 21 flights for the purpose of transporting teams to and from inspection sites. The Aerial Inspection Team made eight flights, in which it surveyed, photographed and inspected 11 sites.

II. RETURN OF PROPERTY

1. The second stage of the hand-over of military items and equipment in the Safwan area was completed at the end of May 1993.

2. The third and fourth stages of the hand-over of military items and equipment in the Safwan area began in the first week of June.

3. On 7 June 1993, 10 naval vessels were handed over at buoy No. 1.

4. On 24 June 1993, two naval vessels were handed over at buoy No. 5.

III. UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION (UNIKOM)

On 17 June 1993, General Dibuama, UNIKOM Chief Military Observer, was received by the Chief of the International Organizations and Conferences Department at the Ministry of Foreign Affairs. General Dibuama expressed his gratitude and appreciation to the Iraqi side for its cooperation in the matter of the pull-back of the six border posts located within one kilometre of the boundary-marker line. Between 14 and 18 May 1993, the Iraqi side had pulled back six border posts at the request of UNIKOM. In the course of the meeting a number of points were reviewed, including the request of the Iraqi side that the Iraqi dredge *Al-Fayha'* be recovered from the Khawr al-Sabiyah area and that the Southern Petroleum Company be allowed to remove its equipment from the demilitarized zone.

ANNEX II

Measures taken by Iraq in fulfilment of the requirements of Security Council resolution 687 (1991) during the month of July 1993

I. SECTION C OF RESOLUTION 687 (1991)

1. *UNSCOM 60 ballistic missile inspection team*

The team, consisting of three inspectors under the leadership of the United States national Mark Silver, arrived on 10 July 1993. On the following morning, the team visited the Rafah site and sought to place seals on the equipment located there. The Iraqi side once again stated its position with respect to the postponement of a decision in the matter until after the talks between the Iraqi side and the Special Commission on the implementation of resolution 687 (1991) and on other aspects of the relationship between the two sides. The Chief Inspector thereupon asked to leave the site, proceeded to the airfield and, on the same day, 11 July 1993, left for Bahrain.

2. *Visit to Baghdad by the Executive Chairman of the Special Commission*

Ambassador Rolf Ekeus, Executive Chairman of the Special Commission, visited Baghdad between 15 and 19 July 1993. He did so in order to hold talks with the Iraqi side on the issues outstanding after the matter of the monitoring cameras had reached crisis proportions as a result of the Special Commission's insistence that they be installed at two rocket-motor test sites despite its awareness that this measure is part of resolution 715 (1991) and that the Commission was to have notified the Security Council of the fulfilment of the requirements of resolution 687 (1991) so that the Council would be able to begin consideration of paragraph 22 of that resolution concerning the lifting of the oil embargo imposed on Iraq. It should be noted that the Iraqi side did not refuse to allow the installation of cameras but only requested that consideration of the matter be postponed until after the technical talks scheduled to be held between the Iraqi side and the Special Commission in order to assess the extent to which resolution 687 (1991) has been implemented.

The talks of the Executive Chairman of the Special Commission with the Iraqi side were markedly frank and positive. Iraq presented a position paper on its view of the relation between Iraq's responsibilities towards the Security Council and its resolutions, on the one hand, and the responsibilities towards Iraq of the Special Commission and of the Security Council, as a body and as individual States, on the other. Chief among the latter responsibilities are respect for Iraq's sovereignty, independence, internal security and territorial integrity and the lifting of the unjust embargo and the other arbitrary restrictions and measures imposed upon it. The Executive Chairman incorporated this position paper into his report to the Security Council [*see S/26127*] and stated in its regard that "the position paper presented by Iraq contains positive elements which permit the Commission and Iraq to commence, as soon as possible, high-level technical talks in New York".

The positive outcome achieved by Ambassador Ekeus's talks in Baghdad strengthen Iraq's earnest desire to resolve all the outstanding issues through serious and responsible dialogue based on just and fair principles, and Iraq is anxious that the technical talks to be held with the Special Commission should have positive results.

3. *The camera installation team*

During the visit of Ambassador Ekeus to Baghdad, agreement was reached on an interim solution to the issue of the installation of monitoring cameras. The solution requires that the cameras be installed but not brought into operation until such time as agreement is reached in their regard and on other aspects of the relationship between the Special Commission and the Iraqi side. In light of that agreement, a Special Commission team arrived in Baghdad on 25 July 1993 entrusted with the task of installing the cameras at the Rafah and Al-Yawm al-Azim sites. The team consists of four inspectors led by the United States national Eckert. It has begun work on installing the cameras at the two sites and is continuing its work with a view to ensuring proper and effective installation.

4. *IAEA 21 nuclear inspection team*

The team, which arrived on 23 July 1993, consisted of 16 inspectors led by the Chief of the IAEA Action Team, Mr. Maurizio Zifferero. The team visited 15 sites, two of them without advance notification, and found nothing to contradict the Iraqi declarations. It held three meetings with the Iraqi side at which it requested additional information on the schedules submitted by Iraq. A protocol was also signed by the two sides containing a detailed work plan for the removal of radioactive fuel from Iraq. The team also approved the request of the Iraqi side concerning the use of graphite at the electric battery plant. The team left Habbaniyah airfield on 28 July 1993.

5. *UNSCOM helicopter unit*

During the month of July, the unit carried out the tasks entrusted to it with the cooperation and assistance of the Iraqi side. It made 23 flights for the purpose of transporting inspection teams. The Aerial Inspection Team made 14 flights, in which it surveyed, photographed and inspected 26 sites.

II. RETURN OF PROPERTY

1. The Ministry of Defence continued the hand-over of heavy military equipment to the Kuwaiti side at the Safwan point, as follows:

(*a*) 11 Chieftain tanks on 3 July 1993;

(*b*) Replacement parts for armour between 5 and 20 July 1993.

2. On 21 July 1993, the Ministry of Transport and Communications began the hand-over of the following items to the Kuwaiti side, also at the Safwan point:

(*a*) 20,000-line Swedish switchboard;

(*b*) Computer, callback and control equipment, and miscellaneous equipment;

(*c*) 28 low-capacity exchanges;

(*d*) Telex exchange and power equipment;

(*e*) Navigation equipment.

III. UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION (UNIKOM)

In the framework of ongoing coordination between the Iraqi authorities and UNIKOM, General Dibuama, UNIKOM Chief Military Observer, was received by the Chief of the International Organizations and Conferences Department at the Ministry of Foreign Affairs on 1 July 1993. General Dibuama expressed his gratitude and appreciation to the Iraqi side for its cooperation in the matter of the installation of signs marking the demilitarized zone. The Chief of the Department also received General Dibuama on 21 July 1993, and at this meeting a number of issues were reviewed relating to the functioning of UNIKOM in the demilitarized zone.

DOCUMENT S/26304*

Letter dated 13 August 1993 from the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the Secretary-General

[*Original: English/French*]
[*13 August 1993*]

We have the honour to transmit herewith the text of a tripartite declaration issued by our three Governments on 13 August 1993 concerning the implementation of Security Council resolutions 731 (1992) and 748 (1992) by the Libyan Arab Jamahiriya.

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* Circulated under the double symbol A/48/314-S/26304.

We should be grateful if you would have the text circulated as a document of the General Assembly and of the Security Council.

(Signed)	*(Signed)*	*(Signed)*
Madeleine Korbel ALBRIGHT	Jean-Bernard MERIMEE	Thomas RICHARDSON
Permanent Representative of the United States of America to the United Nations	Permanent Representative of France to the United Nations	Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations

DECLARATION OF THE GOVERNMENTS OF FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA ON LIBYAN TERRORISM, ISSUED ON 13 AUGUST 1993

Over 16 months have passed since the Security Council imposed sanctions on the Libyan Government for failure to comply with its demands as set forth in Council resolution 731 (1992) that Libya commit itself concretely and definitively to cease all forms of terrorist action and all assistance to terrorist groups, agree to surrender the two accused of bombing Pan Am flight 103 for trial in Scotland or the United States, respond fully to the requests put forward by the French judge investigating the bombing of UTA flight 772, and provide evidence or information about the bombings of Pan Am flight 103 and UTA flight 772.

Today, for the fourth time, the Security Council has reviewed Libyan compliance with sanctions as called for in Council resolution 748 (1992) and found Libya once again to be in defiance of the will of the international community. Instead of seeking ways to cooperate with the Council and the Secretary-General of the United Nations, Libya has consistently sought ways to avoid full compliance.

The United States, the United Kingdom and France have observed with diminishing patience that the envoys of the Secretary-General of the United Nations to Tripoli repeatedly come back empty-handed, without indications of compliance although with many assurances of Libya's cooperation. We have waited the four months requested by the Secretary-General of the League of Arab States, who wished to serve as an intermediary between the international community and the Libyans. We have repeatedly rejected Libyan efforts to distract the international community from its lack of compliance with empty offers to surrender the Lockerbie suspects and to comply with the requirements of French justice and to prove their partial compliance with the Security Council's demands.

However, our three Governments, in the interests of giving Libya one last chance, have asked the Secretary-General of the United Nations to look into the matter and take the necessary steps to achieve the full implementation by the Libyan Government of resolution 731 (1992) within 40 to 45 days.

If, by 1 October, the Libyan Government has failed to comply with resolutions 731 (1992) and 748 (1992), including the transfer to United States or United Kingdom jurisdiction of the Lockerbie suspects and compliance with the requests of French justice on UTA flight 772, we will table a resolution strengthening the sanctions in key oil-related, financial and technological areas.

Once more, our three Governments reiterate that they have no hidden agenda and that, on the contrary, upon full implementation by Libya of resolutions 731 (1992) and 748 (1992), the conditions would be met for the lifting of sanctions by the Security Council.

DOCUMENT S/26305

Letter dated 14 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original Russian*]
[*16 August 1993*]

I have the honour to inform you that, in spite of the adoption of Security Council resolution 853 (1993) of 29 July 1993, which condemns the seizure of the occupied regions of the Azerbaijani Republic and demands the immediate cessation of all hostilities in the area, and also the message dated 7 August 1993 [*S/26280*] addressed to you from the President of Armenia about the commitment to carry out the above-mentioned Security Council resolution, Armenia's armed forces recently have considerably stepped up their military operations in the territory of Azerbaijan, particularly against its peaceful population.

On the evening of 13 August, units of the armed forces of Armenia, following a heavy artillery and rocket bombardment, began offensives in the northern part of the district of Agdam. With the support of armoured detachments, Armenian expeditionary units had already seized six populated areas in the Agdam district by 2200 hours local time: Shirvanly, Karakashly, Geytepe, Kosalar, Shishpapakhly and Eivazkhanbeili as well as a world-renowned stud farm situated in this area. The Armenian troops were able to advance along the motorway towards another major town in the Republic - Barda. Intensive artillery bombardment of Azerbaijani positions in this area continued throughout the night.

On the morning of 14 August, Armenian long-range artillery bombarded for a period of two and a half hours the peaceful population in the villages situated in the north-eastern part of the Agdam district of Azerbaijan. Some of the inhabitants were killed or wounded, including elderly persons, women and children. In the opinion of military specialists, this bombardment is clearly designed to force all remaining inhabitants of Azerbaijani nationality in the Agdam district to flee and cleanse the district completely of the indigenous population. Further movement of Armenian troops to the north of Agdam is threatening the neighbouring Barda district of Azerbaijan with aggression and creating a great danger for its peaceful population.

In the night and on the morning of 14 August, inhabited areas in the north-western districts of Azerbaijan situated near the border with Armenia were subjected to massive artillery and rocket bombardment from the territory of Armenia, including howitzers, mortars and Grad installations. Destruction was caused in the town of Tauz and the villages of Alibeily and Balkygaya. According to preliminary information, five persons were killed, including two primary school pupils and a small girl, and 12 persons were wounded, including five women.

On the morning of 14 August, Armenian artillery also shelled the town of Fizuli, where there are also casualties.

As a result of the barbaric bombardment of Azerbaijani inhabited areas in the Agdam, Tauz and Akstafa districts, according to preliminary information, 11 persons were killed and 23 wounded on the morning of 14 August alone.

The director of the United Nations interim office in Baku, Mr. M. Al-Said, visited the combat zone in south-western Azerbaijan and witnessed the rocket and artillery bombardment of Fizuli by

Armenian armed forces. When he arrived in the Zangelan district of Azerbaijan, the villages of Shanyfly and Kellugyshlag, which are situated near the border with Armenia, were subjected to shelling from artillery and anti-aircraft installations in the territory of the Kafan district of Armenia.

In connection with what has been stated above, I urgently and categorically request you to take the necessary measures to ensure implementation by the Republic of Armenia of the provisions of resolution 853 (1993). In this regard, I should also request that consideration should be given to the possibility of applying sanctions against the aggressor - the Republic of Armenia, as is provided for under Articles 41 and 42 of the Charter of the United Nations, which include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26306

Letter dated 14 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*16 August 1993*]

I have the honour to report that the press office of the President of the Azerbaijani Republic has issued a statement in connection with the further intensification of military operations by the Armenian armed forces in Azerbaijani territory. Recently, according to the statement, both immediately prior to and after the opening of the meeting in Rome of the countries which make up the Minsk Group of the Conference on Security and Cooperation in Europe (CSCE), the Armenian armed forces stepped up their aggression along the Armenian-Azerbaijani border and in the direction of the Agjabedi, Ter Ter and Fizuli districts bordering Nagorny Karabakh. The uninterrupted attacks on Azerbaijani settlements and the intensive shelling of the peaceful population by tanks and artillery have killed and wounded many and destroyed administrative buildings and residences. Using "corridors" in the occupied Lachin and Kelbadjar districts of Azerbaijan, Armenia's military-political leaders continue to concentrate their war equipment and troops in captured districts of Azerbaijan. Thus the Armenian side is not only failing to observe the cease-fire agreement, but is also using the current situation to prepare for a new, large-scale offensive in Azerbaijani districts adjacent to upper Karabakh.

In this connection, the Azerbaijani side calls on the international community, through the competent international organizations, and on the members of the Security Council and the CSCE Minsk Group to take further effective measures to ensure the full implementation of resolutions 822 (1993) and 853 (1993) and, above all, the immediate, full and unconditional withdrawal of Armenian armed forces from the occupied districts of Azerbaijan. It must be borne in mind that the precedent being set by the Armenian side's "insubordination" to international law has dangerous consequences for peace in the region and for the security of all its States and peoples.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26307

Letter dated 15 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*16 August 1993*]

It is with great concern that I inform you that military formations of the Armenian army, in violation of the cease-fire agreement reached earlier, launched a massive attack on the night of 14/15 August 1993 against the Fizuli and Djebrail districts of Azerbaijan which border Nagorny Karabakh, capturing a total of 10 settlements. Casualties were numerous and included many elderly women and children.

As a result of the Armenian army's barbaric actions, which have not spared even the innocent civilian population, thousands of people, having left all their possessions at home, have clogged the roads of the Republic, swelling the already vast ranks of the refugees, whose number is approaching one million.

The massive attack and advance of the Armenian armed forces deep into Azerbaijan continues, posing a major threat to the lives of thousands of peaceful inhabitants of the Republic. The aggressor is not only failing to liberate previously occupied territory in Azerbaijan, but is in fact pursuing its expansion, counting on resolving the conflict solely by force.

In order to become acquainted with the situation first-hand, the head of the temporary United Nations office at Baku, Mr. Mahmoud Al-Said, paid a visit to the Fizuli, Zangelan, Barda, Agdam, Tauz and Kazakh districts of Azerbaijan on 12 and 13 August. On numerous occasions during the visit the United Nations mission came under fire from Armenian positions. A building in the village of Garvend (the only village in the Agdam district under Azerbaijani control), which temporarily housed the head of the Agdam executive authorities and where Mr. Al-Said was located, was subjected to rocket fire.

In the Zangelan district, Mr. Al-Said was shown a foreign tank captured from the Armenian army on which a flag and serial number were depicted. In the Kazakh and Zangelan districts, where he was very near to villages captured by the Armenian armed forces, he witnessed their burning and destruction. Wherever he went, he was told about the situation of refugees.

In the town of Kazakh, the United Nations representative was shown the corpse of an Azerbaijani (civilian) who had been captured by the Armenians and had subsequently escaped and died after reaching home. In captivity he had been subjected to severe torture and brutality - the nails had been torn from his fingers and toes, and his chest bore the marks of cigarette burns. This fact was also observed by Mr. Al-Said.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan to the United Nations

DOCUMENT S/26308

Letter dated 15 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*16 August 1993*]

I have the honour to inform you that Armenian armed detachments have begun another massed offensive against the Fizuli and Djebrail districts of Azerbaijan, which are situated outside the Nagorny Karabakh region of the Azerbaijani Republic. Through large-scale attacks, the Armenian army seized a total of 10 villages. There are numerous casualties among the peaceful population.

As a result of these barbaric actions, thousands of people were forced to abandon their homes, adding to the already sizeable army of refugees and displaced persons, whose numbers have begun to approach one million.

On 14 August, the Armenian aggressors seized six more populated areas in the Agdam district of Azerbaijan. Eyewitness accounts again speak of atrocities committed by Armenian forces against the unarmed local population.

Thus, not only are Armenian troops not withdrawing from previously occupied Azerbaijani territory, but overt Armenian expansion deep into Azerbaijan is also continuing.

This latest spiral in the military escalation once again demonstrates that the Armenian side is openly ignoring Security Council resolutions 822 (1993) and 853 (1993) and rejecting a peaceful settlement of the Nagorny Karabakh conflict, relying exclusively on force to resolve the conflict.

The Azerbaijani Republic strongly condemns the aggressive policy of the neighbouring Republic and draws the attention of the world community to the inadmissibility of the use of force in resolving a regional conflict and urgently demands that the United Nations, the Conference on Security and Cooperation in Europe and the countries of the international community make use of their authority and all available possibilities to restrain the aggressor and prevent the further destruction of the peaceful population, and the towns and villages of Azerbaijan.

As distinct from its previous reaction to the Armenian army's occupation of the Nagorny Karabakh region of the Azerbaijani Republic, and the Lachin, Kelbadjar and Agdam districts of Azerbaijan, the Security Council must now take preventive measures to avert the further seizure of Azerbaijani territory by Armenian armed detachments.

In this connection, I should like to make a request to you concerning the possibility of considering the adoption of such measures at a meeting of the Security Council.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan to the United Nations

DOCUMENT S/26309

Letter dated 16 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*16 August 1993*]

I have the honour to present to you the attached letter dated 11 August 1993, from my President.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 11 AUGUST 1993 FROM THE PRESIDENT OF THE PRESIDENCY OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Relating the report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia that was submitted to the Security Council on 6 August 1993 [*S/26260*], I would like to make the following objections to the report:

General

1. In our opinion the report does not give a true picture of the cause and nature of the war in Bosnia and Herzegovina; nor does do it so in relating the course of the peace negotiations. The complex ethnic structure and the historical background are not the essential causes of the war. The cause of the war is the aggression from the outside. This has also been the position taken by the international community which has imposed sanctions on Serbia due to its inciting and continuing the war.

2. The report unjustly identifies the role and the responsibility of legal institutions of the State that is defending herself with those who want to destroy that State through force or who want to change its constitutional structure through force again. The influence of the arms embargo imposed on a country that has legitimate right to defend itself has not been mentioned in the report, nor has it been mentioned in what way it has been reflected upon the war that is in progress and the peace talks themselves.

3. The report does not address either the repeated practice of conducting new occupations during the negotiations, which is against to what has been agreed. The use of force and threats to continue with the war has substantially determined the course of the negotiations. The report does not identify, nor does it raise the issue of the responsibility of those who are violating the Security Council resolutions and the provisions of international war laws and human rights. The proposals as made by the sides are not respectively fairly interpreted. The proposals of the Bosnian delegation, that were submitted also in writing, have not been quoted or attached in the appendices. Our reserve relating article 1 of the constitutional agreement has not been mentioned, or it has been addressed as a request for clarification.

4. The report does not take note of the crucial fact, to which we pointed repeatedly, being that the agreement given for each document is conditioned by the agreement on the overall package of the proposed documents. This is what we hereby emphasize as well.

5. The Presidency of the Republic of Bosnia and Herzegovina insisted at the negotiations in Geneva that the settlement for Bosnia and Herzegovina should be based upon the Charter of the United Nations, relevant Security Council resolutions, London Conference decisions and European Community documents. Considering these documents as a definition of the mandate of both the Conference and its Co-Chairmen, we have warned against not holding to the principles as defined by these documents.

6. The report and the proposed documents, despite our warning, contain the proposals which we do not consider to be in accordance with the mentioned principles. Therefore we ask you, when

finalizing the Geneva Conference documents, to bear in mind the following objections, i.e. to inform thereof the Security Council Member States.

Constitutional agreement for a Union of Republics of Bosnia and Herzegovina

7. The title and the concept of this document raise doubts relating the position of legally and democratically elected administration institutions and constitutional structure of the Republic of Bosnia and Herzegovina as an internationally recognized State and a Member State of the United Nations. Its internal constitution has been changed through a non-constitutional manner, through the agreement between the representatives of the legal authorities and the personalities that have been illegal, but have military power at their disposal. Thus force and the so-called actual State have been unreasonably taken for basic criteria in creating of the new constitutional and legal situation. Therefore we continue to maintain that this document should be regarded as Constitutional Principles for future Constitution of the Republic of Bosnia and Herzegovina which is to be adopted within the framework of the International Conference on the Former Yugoslavia, as envisaged by the Vance-Owen plan.

8. Article 1 of the constitutional agreement does not contain an explicit provision that the Union is a State. This issues in substantial consequences relating the international and legal personality and continuity of the Republic of Bosnia and Herzegovina. We demand the Security Council bring the resolution which will reaffirm that the Union of the Republics of Bosnia and Herzegovina maintains the membership of the Republic of Bosnia and Herzegovina in the United Nations.

9. The constitutional agreement and other documents omit or inappropriately address the issues relate the return of refugees and reversal of ethnic cleansing. Therefore we ask for additional guarantees relating the same issue, at least those as given by the Vance-Owen plan. We have demanded these guarantees in a separate letter addressed to the Co-Chairmen. The guarantees are as follows:

(*a*) Explicit right of all the refugees and displaced persons to return to their homes and commitment by the authorities to provide for this, as well as the guarantees of the international community that this will be realized. Provisions on the right to settle in any part of the territory in principle are not sufficient.

(*b*) Provision relating all the statements and papers signed under the pressure during the war on disowning of the real estate and other property not to have any legal force has not been included either.

(*c*) UNPROFOR Civil Police must control and provide for ethically proportioned structure of local police forces, prevent reprisals against minority populations, protect those who are returning and contribute in every respect to the reversal of ethnic cleansing through putting into force all the court decisions, the Court for Human Rights in particular, as well as assist the Commission and observers for human rights.

(*d*) The United Nations Secretary-General, as proposed by the Vance-Owen plan, should establish a Commission for Human Rights for Bosnia and Herzegovina, which is to be organized in such a way that it can make records on all violations of human rights, take steps in order to remove these incidents and thereupon report, on a regular basis, to the Secretary-General, Security Council and the United Nations Commission for Human Rights, and other relevant international institutions.

Appendix II

10. Paragraph 32 of the report contains the statement that during the talks on the maps and the borders of the future republics a great deal of progress was made, which is not correct. At the same time the report notes a great number of contentious issues, the positions of the sides being very distant.

11. The document does not address urgent issues like the PTT system, production and management of electric power, airspace control, radio links, water supply and water management system, establishing of the minimum of ecological standards that are of common interest for the entire Union.

Appendix III

12. In the peace agreement for Bosnia and Herzegovina there is no provision on placing heavy weaponry under effective international control, as it has been explicitly determined by Security Council resolution 752 and the London Conference decisions. The agreement includes only a provision on monitoring of the withdrawal of heavy artillery which is not sufficient and is not in accordance with the mentioned international acts.

13. The agreement does not resolve the issue of where the armed forces are to withdraw until demilitarization takes place, which would be in accordance with the new political settlement.

Appendix IV

14. This document, inadequately recalling the 1965 Convention on Transit Trade of Land-Locked States (Bosnia and Herzegovina has access to the sea), three parties signatories of the agreement with the Republic of Croatia are mentioned. The organs of Bosnia and Herzegovina as provided by its Constitution have legitimacy for signing international treaties. Since the Union succeeds the State and legal continuity of the Republic of Bosnia and Herzegovina, the rights and commitments issuing out of this agreement are succeeded by the Union.

Implementation

15. The issue of the implementation of what is agreed has not been considered during the negotiations in Geneva. We expect that the Security Council, the North Atlantic Treaty Organization and the European Community will give relevant international guarantees and secure efficient implementation of the agreement which, we hope, will be reached.

(*Signed*) Alija IZETBEGOVIC
President of the Presidency

DOCUMENT S/26310

Report of the Secretary-General pursuant to paragraph 2 of Security Council resolution 847 (1993)

INTRODUCTION

1. In its resolution 847 (1993) of 30 June 1993, the Security Council decided to extend the mandate of the United Nations Protection Force (UNPROFOR) for an additional interim period terminating on 30 September 1993, and requested the Secretary-General to report after one month on progress towards implementation of the United Nations peace-keeping plan for Croatia and all relevant Security Council resolutions, taking into account the position of the Croatian Government. The Council further decided to reconsider, in the light of this report, UNPROFOR's mandate in the territory of the Republic of Croatia.

I. BACKGROUND

2. It will be recalled that in my report of 24 June 1993 [*S/25993*], I drew attention to the failure of the parties to permit implementation of the United Nations peace-keeping plan and to cooperate in establishing a political process which would offer the prospect of an early agreed settlement. I noted, nevertheless, that the presence of UNPROFOR was indispensable to control of the conflict, to the fostering of a climate in which negotiations between the parties could be promoted, to prevent the resumption or escalation of conflict, to provide a breathing-space for the continued efforts of the peacemakers and to support the provision of essential humanitarian assistance. I further informed the Council that the termination of UNPROFOR's mandate at that point would, in the judgement of my Special Representative, risk the resumption of a major conflict in the region and cause severe adverse consequences for humanitarian relief operations.

3. At the same time, I drew attention to the fact that UNPROFOR soldiers were increasingly being targeted by all sides and informed the Council that should the threats to the safety and security of United Nations personnel, "which have already reached unacceptable levels", mount further, I would have to inform the Council that a viable basis for their functioning no longer existed.

4. In recommending that the Council extend the mandate of UNPROFOR by a further three months, to 30 September 1993, I stated that "significant progress will be required in the peacemaking efforts of the Co-Chairmen if any further renewal is to be contemplated beyond that date".

II. IMPLEMENTATION OF SECURITY COUNCIL RESOLUTIONS

5. The situation with regard to the implementation of United Nations resolutions has not changed since the submission of my report of 24 June 1993. During the past month the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia have made determined efforts for the implementation of Security Council resolutions 802 (1993) and 847 (1993). I should like to draw attention in this regard to the Report of the Co-Chairmen which I transmitted to the Council on 3 August 1993 [*S/26233, paras. 15-26*].

6. The Security Council issued, on 15 July 1993, a Presidential statement [*S/26084*] in which it noted that it continued to attach the highest importance to securing the reopening of the Maslenica crossing to civilian traffic. Nevertheless, it considered that the Croatian Government's planned unilateral reopening of the Maslenica bridge and of Zemunik airport on 18 July 1993, in the absence of agreement between the parties and others in cooperation with UNPROFOR, would jeopardize both the objectives of the Council's resolutions and in particular the call in its resolution 847 (1993) for agreement on confidence-building measures and the efforts of the Co-Chairmen of the International Conference on the Former Yugoslavia and UNPROFOR to achieve a negotiated settlement to the problem. The Council urged the Government of the Republic of Croatia to refrain from this action.

7. Subsequently, in the light of information received from my Special Representative, the Council issued another Presidential statement on 30 July 1993 [*S/26199*] in which it called for the implementation of an agreement reached by the parties on 15/16 July 1993 at Erdut, which required the withdrawal of Croatian armed forces and police from the area of the Maslenica bridge by 31 July 1993, and the placing of the bridge under the exclusive control of UNPROFOR.

8. Subsequent to the adoption of the preceding statement, UNPROFOR, in order to achieve the withdrawal of the Croatian forces in fulfilment of the Erdut agreement, moved 2,000 troops into the areas adjacent to those from which the Croatian forces should withdraw. It has, however, been unable to deploy because the Croatian military authorities would not allow UNPROFOR full access to the areas concerned, nor provide any cooperation towards the planning or reconnaissance of the operation.

9. On 2 August 1993, following Serb shelling of the area, one of the pontoons of the Maslenica Bridge sank, but the Co-Chairmen concluded that there was still enough common ground to continue negotiations. They therefore extended an invitation to both sides to come to Geneva at their earliest convenience to begin negotiations on a cease-fire which will include the elements of the original Erdut agreement. The parties have accepted the invitation and talks started on 12 August 1993 in Geneva.

III. OBSERVATIONS

10. It will be clear from the above that the problems described in my earlier report on the situation in Croatia have not been resolved. I have none the less instructed my Special Representative and the Force Commander of UNPROFOR to maintain their efforts to persuade both sides to cooperate with UNPROFOR in the implementation of Security Council resolutions. It is therefore my view that no action should be taken at this stage to reconsider UNPROFOR's mandate in the territory of the Republic of Croatia. Whether, and in what manner, progress in the implementation of the United Nations peace-keeping plan for Croatia can be achieved will be influenced by the outcome of current efforts for the implementation of resolutions 802 (1993) and 847 (1993). In this regard, faithful compliance by all sides with agreements voluntarily entered into, as well as scrupulous respect for the injunctions of the Security Council, are crucial. Peace can only be advanced if negotiations are carried out in good faith and agreements reached through such negotiations are fully implemented. I shall submit a further recommendation to the Council in the latter half of September.

11. In a letter dated 30 July 1993, addressed to me [*S/26220*], the Representative of the Republic of Croatia drew attention again to the letter of the Minister for Foreign Affairs of the Republic of Croatia [*S/25973*] proposing the separation of the mandate of UNPROFOR into three independent mandates, for the Republic of Croatia, Republic of Bosnia and Herzegovina and the Former Yugoslav Republic of Macedonia respectively. Following consultations with my Special Representative and the Force Commander, I have given the matter careful consideration, but in view of the overlapping political, administrative and operational considerations that have so far justified an integrated mandate, I am unable at this time to respond positively to the Croatian proposal. I shall, none the less, keep the matter under review.

DOCUMENT S/26311

Report of the Secretary-General on the situation in Tajikistan

[*Original: English*]
[*16 August 1993*]

INTRODUCTION

1. In my letter dated 26 April 1993 [*S/25697*], I informed the members of the Security Council of my decision, after consulting with the Government of Tajikistan and others, to appoint Mr. Ismat Kittani as my Special Envoy for Tajikistan for an initial period of three months. In the letter, I outlined Mr. Kittani's mandate as follows:

(*a*) To obtain agreement on a cease-fire and make recommendations on such international monitoring mechanisms as may be appropriate;

(*b*) To ascertain the positions of all the concerned parties and make good offices available to assist the establishment of a process of negotiations for a political solution;

(*c*) To enlist the help of neighbouring countries and others concerned in achieving the above objectives.

2. In a letter dated 29 April 1993 [*S/25698*], the President of the Council informed me that its members welcomed my decision to appoint Mr. Kittani as my Special Envoy for Tajikistan. They also indicated their interest in receiving reports on Mr. Kittani's mission and on any future recommendations I might wish to make in the context of that mission.

3. Shortly after Mr. Kittani's arrival in Dushanbe on 14 May 1993, he held several meetings with the President, the First Vice-President, the Prime Minister and the Foreign Minister of Tajikistan. He visited Khorog, the regional capital of Gorno-Badakhshan, where he had discussions with various groups, including the field commanders of the major groups opposing the central Government. In Dushanbe, he had an opportunity to exchange views with its small diplomatic community, as well as with a number of opposition elements in the capital. During the same period, the Special Envoy visited the capitals of Uzbekistan, the Russian Federation, Kyrgyzstan, Kazakhstan, the Islamic Republic of Iran and Pakistan and, a few weeks later, Saudi Arabia, for talks with their leaders.

I. BACKGROUND TO THE SITUATION IN TAJIKISTAN

4. The conflict in Tajikistan has resulted in thousands of deaths and more than 400,000 refugees and displaced persons. It has been influenced by economic, social, demographic, religious and ideological factors, which were aggravated by the rapid pace of change associated with the disintegration of the Soviet Union. This disrupted political and economic structures and raised expectations for fuller participation in the country's affairs in regions and groups that had been traditionally excluded from power, resulting in a struggle between different clans for a redistribution of power. The clans are generally divided by region, except in the Kurgan-Tyube area, where the population is mixed and which has been the scene of the worst fighting. At the same time, independence made possible a revival of Islam in the country. Some members of the Islamic clergy are active in the armed opposition to the current Government, much of which is based in northern Afghanistan, where there are approximately 60,000 Tajik refugees.

5. The conflict in Tajikistan has also been fuelled by an abundance of arms. Large quantities of arms were left by Soviet forces when they evacuated from Afghanistan through the territory of Tajikistan. In addition, after the disintegration of the Soviet Union, the southern border of Tajikistan with Afghanistan (1,387 kilometres in length) became virtually open and porous to arms smuggling.

6. Twenty-five per cent of the 5.5 million population of Tajikistan are Uzbeks. Uzbeks ethnically belong to the Turkic group of peoples, while Tajik culture and language are closely linked to those of the Persian-speaking peoples. The population of Uzbekistan itself includes 1 million Tajiks. In addition, another 10 per cent or more of Tajikistan's population consists of minorities, particularly Russians, Ukrainians and Germans, and smaller groups of Jews, Koreans, Tatars, Georgians, Armenians, Bachkirs and others.

II. VIEWS OF THE GOVERNMENT OF TAJIKISTAN

7. During the Special Envoy's visit to Dushanbe in May and June 1993, the Tajik leaders described the current situation in the country as difficult and tense, although they pointed out that it was becoming more stable. They indicated that the Government had strengthened its contacts with opposition groups in the Gorno-Badakhshan region and some areas of the Garm Valley, resulting in the lifting of the blockade of the road that connects Dushanbe with Gorno-Badakhshan and the return of more than 2,000 refugees and internally displaced persons. The Tajik authorities said that the situation in the border areas between Tajikistan and Afghanistan and the refugee issue remained matters of the highest concern. They recognized that without the early repatriation of all Tajik refugees from northern Afghanistan, peace and tranquillity could not be achieved. The Tajik leaders emphasized the urgent need for multilateral talks with the authorities of Afghanistan, the Islamic Republic of Iran, Pakistan and Saudi Arabia to discuss confidence-building measures. They further said that the Government would appreciate the assistance of the United Nations to this end.

8. With regard to a cease-fire, the Tajik leaders stressed that the non-use of force was the main principle applied by the Tajik Government to its relations with neighbouring countries.

9. Regarding the establishment of international mechanisms to monitor a possible cease-fire, the Tajik authorities said that they would welcome the dispatch of United Nations peace-keeping forces to the border areas with Afghanistan. In their view, even the deployment of a limited number of United Nations peace-keepers, combined with peacemaking efforts, could be an effective deterrent to further escalation of the conflict.

10. With regard to the establishment of a process of negotiations for a political solution, the Tajik leaders said that they considered a political dialogue leading to a political solution as the only rational way of resolving the existing problems. They pointed out that the Government was using dialogue with leaders of some opposition groups inside the country as the instrument for achieving peace and stability. They did not, however, reply to the question of whom the Government considered to be legitimate counterparts in the political dialogue.

11. In connection with the refugee issue, the Tajik leaders expressed their special concern over the fate of 30,000 refugees in the Kunduz province of Afghanistan, who they believed were being kept by force, prevented from repatriating voluntarily and used as recruits for opposition fighting groups. In this regard, the Tajik leaders recognized the importance of opening a mission of the Office of the United Nations High Commissioner for Refugees (UNHCR) in the Kunduz area, which could be instrumental in the voluntary repatriation of the refugees.

III. VIEWS OF THE TAJIK OPPOSITION

12. In Dushanbe, Khorog and Teheran, my Special Envoy held talks with leaders of the political opposition and other prominent opposition personalities.

13. With regard to a cease-fire, the Tajik opposition leaders said that the explosive situation would continue as long as the issue of refugees was unresolved. They stressed the need for safety and security guarantees for returnees. It was, in their view, regrettable that the Government of Tajikistan had failed to implement its promises on a general amnesty and had continued to persecute its political opponents. In order to achieve a cease-fire, the interlocutors

emphasized the need to ascertain the views and to enlist the cooperation of the Tajik armed opposition currently based in Afghanistan.

14. The opposition leaders emphasized the need to establish international mechanisms to monitor a possible cease-fire and the process of national reconciliation. They said that such mechanisms would be essential to ensure political agreements among the parties to the conflict and to provide security guarantees to the representatives of some regions of Tajikistan, and especially to returnees from Afghanistan.

15. The Tajik opposition leaders recognized the need for the establishment of a process of negotiations for a political solution. They expressed different views on how to identify legitimate and, at the same time, influential interlocutors for negotiations. They said that there were some moderate elements in the current Government, who could be considered as possible interlocutors.

16. As a possible way out of the dangerous political stalemate, some political leaders of the Gorno-Badakhshan region suggested that: *(a)* a negotiation forum for all political forces of Tajikistan be established; *(b)* the readiness of the current Government for dialogue and compromise be ensured; and *(c)* security guarantees be provided to the people of Gorno-Badakhshan and the Garm regions, the first of these being a guarantee of their right to life.

17. Certain exiled opposition leaders expressed the need to promote reconciliation of all groups of Tajik society, regardless of their national, ethnic, clan, religious or political affiliations, and their incorporation into the political, economic and social life of the country.

IV. VIEWS OF NEIGHBOURING AND OTHER COUNTRIES

A. *Establishment of a cease-fire*

18. Most of the officials to whom the Special Envoy spoke agreed on the importance of obtaining an agreement on the establishment of a cease-fire. Some raised concerns about the political environment in Tajikistan, pointing out that an explosive situation still existed. They viewed the prospects for an early settlement of the conflict as uncertain and spoke of a danger of further escalation of fighting, both at the Tajik-Afghan border and inside Tajikistan itself. In their assessment, time was running out for engaging exiled Tajik leaders in a serious effort at reconciliation.

19. Others believed that the most critical stage of the civil war in Tajikistan was over and that the situation was relatively stable, but an agreement on a cease-fire remained an important priority. They mentioned that there were political problems in Tajikistan which should be tackled only by political means; otherwise, Tajikistan would remain for a long time a serious problem for the countries of the Commonwealth of Independent States (CIS), especially for its close neighbours.

B. *Establishment of international mechanisms to monitor a possible cease-fire*

20. Some officials stressed that such mechanisms and a sound United Nations presence in Tajikistan would be essential to ensure political agreements among the parties to the conflict. They noted that a United Nations presence in Tajikistan would be a serious guarantee of the safety and security of the returnees and would facilitate the strict implementation of the general amnesty decree by the Government of Tajikistan.

21. Other supporters of a monitoring mechanism added that it would provide security guarantees to representatives of some regions of Tajikistan, and especially to returnees from Afghanistan. They stated they would remain ready to participate in international monitoring mechanisms. Some officials indicated a preference for the deployment of United Nations military observers, after a cease-fire agreement had been reached.

22. It was noted by others that four CIS countries had already agreed on the modalities of a peace-keeping operation in Tajikistan. They also expressed strong interest in the deployment of United Nations military observers, who would ensure the objectivity and impartiality of the CIS peace-keepers and provide them with advice.

C. *Establishment of a process of negotiations for a political solution*

23. One neighbouring State believed that a political dialogue between the opposition and the Dushanbe authorities might be the only way out of the current dangerous political stalemate. Its officials said their Government could provide its assistance in facilitating such a dialogue. They were convinced that the issue of Tajik refugees, especially those in the Kunduz area, should not be addressed separately, but only as a part of a comprehensive political solution.

24. Officials of another neighbouring State said that the United Nations and some "friendly countries" should act decisively and as quickly as possible for the establishment of a political process in order to prevent another round of military confrontation. In this regard, they emphasized the need to reintegrate into the political process Tajik groups that had found refuge in Afghanistan and other countries. They emphasized that the mandate of the Special Envoy provided good and realistic grounds for national reconciliation between different Tajik groups.

25. In the view of some authorities, the current Tajik Government enjoyed the support of the majority of the population. They stressed that, under current circumstances, there was no alternative to a political solution and the establishment of a process of negotiations among all concerned Tajik parties. The officials said that they supported and would continue to support the process of stabilization in Tajikistan, but made it clear that genuine national reconciliation could be reached only by the Tajiks themselves.

26. Other supporters of the establishment of a political process emphasized the difficulties in working out modalities for future negotiations. However, the interests of Gorno-Badakhshan, the Garm and other regions should also be addressed through a process of political negotiations. In this regard, it was made clear that opposition elements currently based in Gorno-Badakhshan and Afghanistan should be included in the political process. It was also stated that some independent-thinking intellectuals could contribute fruitfully to a process of national reconciliation. Other officials said agreement on a cease-fire and political dialogue for national reconciliation should be considered as a package.

27. As far as the modalities of a possible political dialogue were concerned, some officials said that indirect talks under United Nations auspices might be the best way of engaging the opposing sides and promised that they would do their utmost to bridge the existing gap between the opposition and the Government.

28. The same officials emphasized that continued instability and fragmentation in Afghanistan had strong negative implications for Tajikistan. They said that the United Nations should undertake comprehensive efforts to address both the Tajik and the Afghan conflicts.

V. LATEST DEVELOPMENTS

29. During the month of July 1993, disturbing developments have taken place that have reinforced my concern about the situation in Tajikistan and its far-reaching implications for peace and security in central Asia. The most serious development on the ground was a large-scale attack on 13 July by fighters who crossed the border from Afghanistan into Tajikistan and occupied a Russian military post on the border in the Shurabad district. This major incident resulted in 27 deaths and many more injuries. Its repercussions have transformed the situation into an international crisis of multiple dimensions.

30. A few days before this clash, on the initiative of President Rabbani of Afghanistan, agreement was reached at a summit meeting of the countries members of the Economic Cooperation Organization in Istanbul to establish a commission composed of representatives of Afghanistan, Tajikistan, Uzbekistan and the Russian Federation to find, through negotiation and dialogue, a peaceful solution to the problem on the border between Tajikistan and Afghanistan. This meeting will be held in Dushanbe in late August with the participation of a representative of UNHCR.

31. President Islam Karimov of Uzbekistan also told the Special Envoy that he was thinking of undertaking a parallel initiative involving a larger number of countries. It would call for a regional meeting in Tashkent to review the situation in Central Asia focusing on the Tajik crisis and its ramifications. President Karimov's intention would be that the United Nations should be fully involved in his plan.

32. President Yeltsin approved a decree on 28 July 1993 on the settlement of the situation at the Tajik-Afghan border, appointing Foreign Minister Kozyrev as his Special Representative for Tajikistan. He is authorized to implement measures to promote talks between the Government of Tajikistan and the Tajik opposition and to facilitate the dialogue between Uzbekistan, Kazakhstan, Kyrgyzstan and Turkmenistan on the settlement of the conflict. President Yeltsin also took the initiative of hosting a summit meeting of heads of State and Government from Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan on the situation in Tajikistan, which took place in Moscow on 7 August 1993. A representative of the President of Turkmenistan also attended the summit. At the meeting, the leaders, *inter alia*, emphasized that a political settlement remained the main priority and called on the international community to support efforts to reach a political settlement. At the same meeting, the Tajik Government expressed its intention to develop a dialogue with opposition forces.

VI. OBSERVATIONS

33. The Special Envoy, in all his discussions, has emphasized on my behalf that violence and continuing armed conflict would not solve the problems of Tajikistan, but would lead only to more bloodshed and further aggravate the situation. A solution can come only through peaceful reconciliation with the widest possible participation of all political groups and all the regions of the country. In addition, he has told all concerned that the High Commissioner for Refugees should be allowed to carry out her mandate in all parts of Afghanistan so that she can, in particular, reach all concentrations of Tajik refugees.

34. Given the escalating crisis on the Tajik-Afghan border, which has had varied reactions in Afghanistan, I have asked my Special Envoy to visit Kabul as soon as possible for discussions with government leaders regarding his mandate in Tajikistan and to ascertain the views and positions of the Tajik opposition leaders residing in Afghanistan. In addition, Mr. Kittani will also visit other countries of the region.

35. I continue to be deeply concerned at the situation in Tajikistan, which now contains the seeds of a major threat to peace and security for central Asia and beyond. What is urgently needed is a concerted effort to persuade the Government of Tajikistan and all major tendencies in the opposition to accept the need for a political solution and to participate in a negotiating process. I have asked a number of interested Governments to assist me and my Special Envoy in such an effort and I have received a favourable response. I have also let it be known that I will be ready to recommend to the Security Council a positive reaction to any reasonable request by the parties for United Nations assistance in their efforts to implement the various initiatives under consideration.

36. In these circumstances, I propose to extend the mandate of my Special Envoy for a further three months, i.e. until 31 October 1993.

37. The Special Envoy has reported to me that UNHCR, the United Nations Children's Fund, the World Food Programme and the World Health Organization are conducting humanitarian operations in the country. Emergency humanitarian assistance commenced in January 1993, when the first United Nations appeal was issued. Assistance was increased following the disastrous floods two months ago. The Special Envoy's view, with which I agree, is that Tajikistan needs advice and assistance in developing various parts of its economic and social infrastructure, as well as humanitarian assistance, which will be required at least until the spring of 1994. The Government has also sought United Nations advisory services in the field of human rights.

38. In order to provide these different types of support to the Government of Tajikistan, a multifaceted United Nations presence will be required in Dushanbe. I shall be discussing with the Government and with the various agencies, programmes, funds and offices how this presence can best be organized. In the interim, I propose to extend, for a period of three months, the small team of United Nations officials currently in Tajikistan.

DOCUMENT S/26312

Letter dated 16 August 1993 from the representative of Armenia to the Secretary-General

[*Original: English*]
[*17 August 1993*]

I have the honour to transmit to you a letter dated 14 August 1993 addressed to you by Mr. Vahan Papazian, Minister for Foreign Affairs of Armenia.

I should be grateful if you would circulate the letter as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

LETTER DATED 14 AUGUST 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF ARMENIA TO THE SECRETARY-GENERAL

The recent events that have taken place on the Armenian-Azerbaijani border compel me to appeal to you.

On 13 August, from 5.30 p.m. to 11.30 p.m., the Azerbaijani armed forces, using all types of weapons and with unprecedented intensity, bombarded the Armenian towns and villages of the Tavush and Ijevan regions in the north-eastern part of Armenia. In the Tavush region, the villages of Paravakar, Nerkin Karmiraghpiur, Movses, Aygedzor, Aygepar, Tovuz, Chinar, and Berd regional centre were all subjected to heavy bombardment. As a result, three high-rise buildings and 13 homes were destroyed in the regional centre. There was substantial damage in all the other above-mentioned villages. From the civilian population, four were injured, one critically. Close to 22 hectares of grain crop were destroyed, and a large number of agricultural vehicles damaged beyond repair. There is widespread destruction in the Kayanavan and Sevkar villages of Ijevan region. The same day, the Yerazkh and Sevakavan villages of Ararat region were also subjected to bombardment from the /territory of the Republic of Nakhichevan. The Armenian side has not responded.

These unprecedented offensives by the Azerbaijani side once again testify to the fact that some circles in the Azerbaijani Government have not resigned their futile and myopic policy of drawing Armenia into a large-scale war and through it exacerbating the ongoing conflict in the region.

Parallel to this, we have received information that the military activities in the vicinity of the Markadert and Hadrut regions of Nagorny Karabakh have been intensified, and the Hadrut region from the direction of Fizuli region is being shelled and attacked. There are also attacks on the humanitarian corridor linking Armenia to Nagorny Karabakh.

These provocative operations make us think that, despite the first steps of the Baku-Stepanakert dialogue, Azerbaijan continues its policy of imposing a military solution to the Nagorny Karabakh conflict. Obviously, these operations jeopardize all the efforts of the Minsk Group of the Conference on Security and Cooperation in Europe for the peaceful resolution of the conflict, something which deeply concerns the leadership of the Government of Armenia.

Remaining truthful to the principles of peaceful resolution, the Armenian authorities have refrained from responding in kind. However, in the event of the persistence of the operations, the Government of Armenia reserves the right to take appropriate actions to eliminate the threat to its territorial integrity and the security of its people, the consequences of which fall entirely upon the leadership of Azerbaijan.

I would like to reiterate once again the sincere commitment of the Armenian authorities to contribute to the efforts of the Minsk Group for the political resolution of the conflict.

(*Signed*) Vahan PAPAZIAN

DOCUMENT S/26313

Letter dated 16 August 1993 from the representative of the Libyan Arab Jamahiriya to the Secretary-General

[*Original: Arabic*]
[*17 August 1993*]

I have the honour to transmit to you herewith the text of a statement issued by the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya on 14 August 1993 following the renewal by the Security Council of the sanctions imposed under resolution 748 (1992).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Ali Ahmed ELHOUDERI
Permanent Representative
of the Libyan Arab Jamahiriya
to the United Nations

TEXT OF THE STATEMENT

The General People's Committee for Foreign Liaison and International Cooperation expresses its strong indignation that the sanctions imposed on the Libyan Arab people are to be maintained despite the divergence of views that was apparent in the consultations among the members of the Security Council, thereby confirming that the measures and initiatives taken by the Great Socialist People's Libyan Arab Jamahiriya in implementation of Council resolution 731 (1992) had met with a positive response and were welcomed within the Council itself. This conflicts with the rigid positions being maintained by the three Western States in disregard of all the concrete measures taken by the Great Socialist People's Libyan Arab Jamahiriya for the implementation of resolution 731 (1992).

Despite the continued suffering of the Libyan Arab people under the burden of the sanctions imposed on it by the unjust application of resolution 748 (1992), the Great Jamahiriya has spared no effort and neglected no available means in order to affirm its concern to see justice done and to comply with international law, in a framework of constructive dialogue and mutual understanding that eschews the language of intimidation, in the expectation that this would lead to the lifting of the sanctions.

Despite the foregoing, the General People's Committee for Foreign Liaison and International Cooperation once again affirms as follows:

1. The Great Jamahiriya has complied with resolution 731 (1992) in all its aspects, and it has informed the Secretary-General of all the measures it has taken in implementation of that resolution. It has cooperated with the Secretary-General and his envoys in a positive manner out of respect for international legitimacy and in its concern for a peaceful solution to the crisis that respects the interests of all parties. This refutes the statement made in the declaration of the three Western States accusing the Jamahiriya of being in defiance of the Security Council.

2. The Jamahiriya has acceded to the request for cooperation with the United Kingdom with regard to the organizations that it accuses of terrorism, and the United Kingdom has given official expression to its satisfaction with that cooperation.

3. The Jamahiriya has expressed its complete readiness to cooperate with French justice, and talks are still in progress with the French authorities with a view to having the magistrate entrusted with the dossier come to the Great Jamahiriya to complete his inquiries. It is hoped that this will take place as soon as possible.

4. The Great Jamahiriya acknowledges that it is necessary for the two suspects to be brought to trial, and it is prepared to discuss the venue where the trial must be held if it is to be just and fair.

5. The Jamahiriya affirms that the reversion of the three Western States to the language of intimidation and blackmail, as in their latest declaration, does not advance the goal that the United Nations is seeking to achieve, namely the peaceful settlement of disputes between States, respect for international norms and conventions and regard for the sovereignty of States. The first step towards that goal is the adoption of a language of serious dialogue between the parties to the dispute with a view to reaching peaceful solutions that are satisfactory to all parties, and it is this that has been urged by all the regional and international organizations, in particular the League of Arab States, the Organization of African Unity, the Organization of the Islamic Conference and the Movement of Non-Aligned Countries. Moreover, the current approach does not serve the interests of the families of the victims. The Jamahiriya therefore declares before world public opinion that it is fully prepared to sit

down at the negotiating table with the parties concerned and the Security Council in order to arrive at a peaceful solution to the crisis that will serve the interests of all parties.

Given the rejection by the three Western States of all the measures it has taken to meet the demands made upon it by resolution 731 (1992), and given its refusal to accept that its people should continue to suffer under the sanctions for a long time to come, the Great Jamahiriya can only request the Secretary-General and the Security Council to establish a mechanism for reaching a mutual understanding of what it is that resolution 731 (1992) requires and of what measures the Jamahiriya has taken to meet those requirements. The Council may then be persuaded that the Great Jamahiriya has discharged all of its obligations, and the maintenance of the sanctions against its people would be shown to be unjust and aberrant and find none to support it among the members of the Security Council or in the international community as a whole.

It is indeed astonishing that in their declaration the three Western States should have set a time-limit of a matter of weeks for the resolution of a problem of such proportions and one that, as they acknowledge, required long years of investigation and research in order to uncover no more than a suspicion.

DOCUMENT S/26314

Letter dated 16 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*17 August 1993*]

I have the honour to report that, as a result of the large-scale attacks by the Armenian armed forces, the following settlements have been captured in the past few days following the adoption of Security Council resolution 853 (1993) of 29 July 1993:

- Villages in the Djebrail district: Dashbashi; Mazra; Sur; Banazur; Mulkudari; Arakul; Gushchular and Gushlag.

- Villages in the Fizuli district: Ashagi Beysaly; Gochakhmedli; Kargabazar; Sardarly; Karakellu; Garadagly; Djuvarly; Khalavsha; Gevshadly; Divanallar; Gajar; Dilagarda; Yukhari Veisally and Ashagi Divanallar.

Taking into account those captured previously by Armenian military formations, there are in all more than 20 occupied villages in the Fizuli district of Azerbaijan and 17 in the Djebrail district.

In addition to the military offensives in the Fizuli and Djebrail districts of Azerbaijan, the Armenian army is continuing military operations in the Agdam district of Azerbaijan.

On 14 August six more villages were added to the 49 previously captured settlements in the Agdam district and the town of Agdam itself: Shirvanly; Karakashly; Geytepe; Kosalar; Shishpapagly; Eyvdkhanbeyli.

The total number of villages and towns captured by the Armenian armed forces stood at 55.

Thus the Armenian side is completely ignoring implementation of resolution 853 (1993), which demands "the immediate cessation of all hostilities and the immediate, complete and unconditional withdrawal of the occupying forces involved from the district of Agdam and all other recently occupied areas of Azerbaijan".

In view of the above, we call on the Security Council to take effective measures to:

- Halt Armenia's armed aggression against Azerbaijan;
- Stop the Armenian armed forces' invasion of Azerbaijani territory;
- Condemn Armenia's aggression against Azerbaijan;
- Demand that Armenia withdraw all its armed formations from the captured and occupied Azerbaijani lands;
- Impose all appropriate sanctions against Armenia, as aggressor and usurper;
- Call on Armenia to abide by the norms of international law and the Charter of the United Nations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26315

Letter dated 16 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*17 August 1993*]

I have the honour to inform you that, in connection with the latest offensive by the Armenian armed forces, the press service of the President of Azerbaijan issued a statement that:

> "In recent days the armed forces of the Republic of Armenia have considerably stepped up their offensive operations. Additional populated areas in the Agdam, Fizuli and Djebrail districts have been occupied; and there is a real danger that the district centres of Fizuli and Djebrail will be seized. In these districts, there are numerous casualties among the peaceful population, and the security of the inhabitants of the Kubatli and Zangelan districts of Azerbaijan has also come under threat".
>
> "As developments have indicated", the statement continues, "Armenia's conduct is, to a considerable extent, explained by the inadequate response to the current situation by the authoritative countries and organizations of the international community. A formal condemnation of the Armenian side which is not reinforced by a concrete mechanism for blocking its openly aggressive policy merely creates a favourable atmosphere for the further seizure of territory and encourages the expansionist ambitions of official Erevan. As a result of this, Armenia's leaders have in fact begun to apply with regard to Azerbaijan the doctrine of 'a people without a land, and a land without a people'. Furthermore, the reluctance of individual countries to characterize Armenia's actions as aggressive and the assumption of equal responsibility on the part of the parties to the Armenian-Azerbaijani conflict in practice are helping to legalize the territorial acquisitions of Armenia. Consequently, Armenia's actions are increasingly at variance with the norms of international law, eluding control by the United Nations and the Conference on Security and Cooperation in Europe, and becoming a threat to the security of Azerbaijan's neighbouring States, including the Northern Caucasus of Russia, Iran, Turkey and Georgia".

"In this connection", the statement underscores in conclusion, "Azerbaijan once again draws the attention of the States Members of the United Nations to the need to condemn immediately and forcefully Armenia's expansionist policy and promote the adoption of effective measures to halt the increasing aggression against the independent Azerbaijani State".

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26316

Letter dated 16 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*17 August 1993*]

I have the honour to inform you that the large-scale offensive by the Armenian armed forces against the Djebrail and Fizuli districts of Azerbaijan, which has been continuing over the past several days, has created an extremely difficult situation in the region.

The Armenian army has besieged the district centres of Djebrail and Fizuli, having seized practically all the surrounding villages. There are numerous casualties among the peaceful population. Panic-stricken refugees are streaming from these regions towards the border with the Islamic Republic of Iran.

As they advance, the Armenian armed forces are using modern armoured equipment, tanks and manpower which were transported ahead of time from Armenia to the combat zone.

The Armenian army is directing its basic strikes towards the south in the hope of reaching the Azerbaijani-Iranian border, which lies at a distance of only 25 kilometres from it. If these plans are carried out, four districts of Azerbaijan - Fizuli, Djebrail, Kubatli and Zangelan, with a population of more than 200,000 persons and an overall area of 3,900 square kilometres - will be cut off from the Republic.

Moreover, this will also increase the distance between the Nakhichevan region of Azerbaijan and the remaining part of the Republic from 46 kilometres to 136 kilometres, which will make it absolutely impossible to transport goods to that blockaded region of the Republic. Under an agreement with the Islamic Republic of Iran, humanitarian shipments are being delivered to Nakhichevan through that country's territory across a bridge recently built over the frontier river Araz in the Djebrail district of Azerbaijan.

In connection with what has been stated above, I request you to consider and take as soon as possible all necessary measures to halt the open annexation of Azerbaijani lands by the Republic of Armenia.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26317

Further report of the Secretary-General submitted in pursuance of paragraph 18 of Security Council resolution 814 (1993)

[*Original: English*]
[*17 August 1993*]

INTRODUCTION

1. The present report is submitted pursuant to paragraph 18 of Security Council resolution 814 (1993) of 26 March 1993, in which the Council requested me to keep it fully informed on action taken to implement the resolution, in particular recommendations for the establishment of Somali police forces, and on the progress achieved in accomplishing the objectives set out in the resolution.

2. The substance of resolution 814 (1993) reflects the complexity of the anarchic situation that had developed in Somalia from factional strife, causing prolonged suffering of its people. It was evident that, to reconstruct the country's political, social and material infrastructure on a lasting basis, much time and effort would be required. The effective action by the Unified Task Force (UNITAF) in the early part of 1993 and, after 4 May, by the United Nations Operation in Somalia (UNOSOM) with an expanded mandate has led to a significant improvement in conditions almost all over Somalia. Unfortunately, the recalcitrance and narrow interests of certain elements have prolonged unstable and insecure conditions in Mogadishu, seriously hindering UNOSOM's efforts to help Somalia towards recovery.

3. The present report covers the activities of UNOSOM up to 31 July 1993. Section I deals with the organization of the mission. Section II contains an outline of developments on the progress made in the consolidation, expansion and maintenance of a secure environment in Somalia and the issues of cease-fire, disarmament and the removal of mines. A brief account of the progress made towards the re-establishment of the Somali police force, judicial and penal systems is covered in section III and my recommendations on the assistance UNOSOM could provide for the re-establishment of the Somali police force are to be found in the annex to the present report. The promotion and advancement of political reconciliation and the re-establishment of national and regional institutions and civil administration are dealt with in section IV. The relief, economic rehabilitation and repatriation of refugees and displaced persons are discussed in section V. Section VI covers public information activities in support of UNOSOM objectives. I have included my observations in section VII, for the consideration of the Council.

I. ORGANIZATION OF MISSION

4. Following the transfer of military command from UNITAF to UNOSOM on 4 May 1993, the organizational plan for assigning areas of responsibility was modified to reflect the composition of existing forces of UNOSOM. The nine UNITAF humanitarian relief sectors were realigned into four UNOSOM areas of responsibility: Kismayo, Baidoa, Merca-Mogadishu and Belet Weyne-Jalalasi.

5. In accordance with the UNOSOM operational plan, the consolidation of United Nations forces in areas for which UNITAF had undertaken responsibility was completed. UNOSOM Commanders continued normalization and stabilization actions and fine-tuning command and control of assigned units in their respective areas. A number of adjustments were necessary owing to the departure of the bulk of the United States units before 4 May, the Australian contingent on 16 May and the Canadian contingent on 1 June.

6. The reinforcement of UNOSOM military units has not been as rapid as planned but both Force Headquarters Command and total strength have been progressively built up. Current strength is a little over 20,000 troops and other military personnel from 27 countries. The additional deployments planned for the months of August and September 1993 will bring the force strength to the authorized level of 28,000. At the peak of its deployment, UNITAF had 37,000 troops distributed over approximately 40 per cent of the territory of Somalia. As at 31 July, the UNOSOM contingent breakdown was as follows:

Country	*Description*	*Strength*
Australia	Movement control unit	30
Bangladesh	Infantry battalion	25
Belgium	Brigade headquarters Infantry battalion	
	Total, Belgium	998
Botswana	Infantry company	204
Canada	Headquarters staff	5
Egypt	Infantry battalion	540
France	Brigade headquarters Infantry battalion Aviation unit Logistics battalion	
	Total, France	1 130
Germany	Logistics unit	772
Greece	Field hospital	110
India	Headquarters staff	5
Italy	Brigade headquarters Infantry battalions Aviation unit Logistics/engineering Medical unit	
	Total, Italy	2 538
Kuwait	Infantry company	108
Malaysia	Infantry battalion	873
Morocco	Infantry battalion Support unit	
	Total, Morocco	1 341
New Zealand	Supply unit	43
Nigeria	Recce battalion	561
Norway	Headquarters company	137
Pakistan	Brigade headquarters Infantry battalions Signal unit Supply and transport company Engineer squadron Medical unit Electrical and mechanical engineering workshop Ordnance company	
	Total, Pakistan	4 973
Republic of Korea	Engineer battalion	61
Romania	Field hospital	236
Saudi Arabia	Infantry battalion	678
Sweden	Field hospital	130
Tunisia	Infantry company	143
Turkey	Infantry battalion	320
United Arab Emirates	Infantry battalion	763
United States	Logistical unit	2 703
Zimbabwe	Infantry battalion	928
	Headquarters staff	284
	Provost Marsal section	68
	GRAND TOTAL	20 707

(The United States Quick Reaction Force, with a total of 1,167 all ranks, is deployed in support of UNOSOM, but is not part of the United Nations force.) Efforts will be made to have additional units deployed in the next few weeks, including:

India	Infantry brigade	4 983
Bangladesh	Remaining contingent	935
Germany	Remaining contingent	868
Ireland	Transport company	80
Nepal	Infantry battalion	317
Republic of Korea	Remaining contingent	189
Uganda	Infantry company	300
Zambia	Infantry battalion	500

UNOSOM plans to expand to the central region to help to provide stability in a heretofore contested area, to the north-east, which is relatively stable, and to the southern border area to facilitate the return of the large numbers of Somali refugees from Kenya. However, these efforts are heavily dependent on the timing of arrival and size and capability of the additional forces.

7. As at 31 July 1993, UNOSOM military casualties were 39 killed and 160 wounded. Six Somali civilians working for UNOSOM were also killed.

8. From the outset, a major difficulty was created by the administrative and logistical requirements of supporting and deploying this very large number of troops from many countries within a relatively short time-frame. Administrative, financial and logistical procedures sometimes caused delays, impeding rapid deployment.

9. Thus, the military component of UNOSOM has faced acute growing pains, which have slowed the mission's ability to fulfil its mandate. Some troop-contributing countries, especially those having recently joined UNOSOM, were not in a position to provide the troops within scheduled time-frames. Others found it difficult to provide their soldiers with adequate weapons and equipment. In some cases, the provision of weapons and equipment from third countries had to be arranged, causing further delays.

10. These factors had a direct impact on the fulfilment of the mandate laid down by the Security Council. UNOSOM planning had assumed that, with the arrival of new troops, the mission would be in a position to deploy into the central and northern regions of Somalia by mid-July and August. Unfortunately, some of the scheduled reinforcements did not arrive in time and in some cases they arrived without the proper equipment. This delayed the capacity of UNOSOM to extend its operations throughout the country, which was essential to implement the mission's mandate. This also emboldened certain elements who seemed intent on undermining the efforts of the United Nations to bring stability, rehabilitation and political reconciliation to Somalia.

11. UNOSOM also comprises other important components with major roles in the implementation of the complex task of the mission. These include divisions dealing with humanitarian relief and rehabilitation, political affairs, justice, public affairs and administration and logistics. The work of these divisions is described in the relevant sections of the report.

II. THE CONSOLIDATION, EXPANSION AND MAINTENANCE OF A SECURE ENVIRONMENT

12. From the start of the tasks of UNOSOM in Somalia, certain factions overtly demonstrated their hostility to the international community's efforts to assist their country and to control the anarchic conditions that had developed in the preceding years. To illustrate, two days after UNOSOM took over responsibility for security from UNITAF, the militia of Ahmed Omar Jess launched an attack on the port city of Kismayo on 6 and 7 May 1993. Over time, control of Kismayo had changed hands several times amongst the various clans in the area. In March, the militia commanded by Mohamed Said Harsi (Morgan), from the Darod Harti sub-clan, had taken over the city and the militia of Jess of the Darod Ogadeni sub-clan was ousted from the city to Goobweyne. The attack by Jess's militia in May was repulsed by the Belgian forces of UNOSOM.

13. Hostile actions have been pursued by some factions in Mogadishu, particularly since 5 June 1993 when 24 UNOSOM soldiers from Pakistan were killed. Since my report of 1 July 1993 [*S/26022*], pursuant to resolution 837 (1993), the investigation called for by that resolution has been concluded. Its conclusions are being studied and a summary report will be presented to the Council.

14. I have repeatedly emphasized that disarmament is indispensable for the establishment of peace and security in Somalia. This is not only mandated by the Security Council, but also recognized by virtually all Somalis, including the leaders of political factions who agreed in Addis Ababa in January and March to such disarming and urged UNOSOM to apply strong and effective sanctions against those responsible for any violation of the cease-fire agreement of January 1993. They showed awareness that humanitarian and political progress could not be achieved rapidly unless stability was assured in the country. For the most part, Somalis strongly wish to shift from the cult of violence to the rule of law.

15. Disarmament efforts are aimed primarily at the militias which had intimidated and terrorized Somali society, and their heavy weapons. Voluntary disarmament is the basic assumption underlying the disarmament programme. If certain factions refuse to disarm voluntarily, UNOSOM is left with no choice but to disarm them through compulsion. Efforts to disarm and demobilize militias have to be complemented by a programme to rehabilitate, and reintegrate the ex-militiamen into productive life in society, to prevent their becoming hardened into lawless ways of life. Funding is urgently needed to expedite rehabilitation programmes.

16. There are reliable indications that increased activity by UNOSOM forces is having an effect on the United Somali Congress/Somali National Alliance (USC/SNA) militia operations in south Mogadishu. However, there is still potential for the militia to direct attacks against UNOSOM forces. The June incidents, and their aftermath, have provided ample evidence of the overabundance of heavy, medium and light weapons in the southern part of the city. Low-intensity attacks on key facilities, such as the Mogadishu port, the Force Command headquarters, the airfield and other main support bases, may continue. In these circumstances and as mandated by resolution 837 (1993), UNOSOM will have to maintain a forceful disarmament programme in south Mogadishu as long as resistance continues. More active patrolling, weapons confiscations, and operations against USC/SNA militia depots have been undertaken, together with a public information campaign to ensure that the population understands UNOSOM actions.

17. UNOSOM intends concurrently to encourage cooperative disarmament by the many factions that are already coming forward to participate. A cooperative process is being followed in the north-east and, gradually, in the central regions. The Somali Salvation Democratic Front (SSDF) military leadership in the north-east has expressed a wish to disarm voluntarily in cooperation with UNOSOM. A UNOSOM disarmament team has been assisted in examining many of the DDSF's stocks of heavy weapons and ammunition in the region, including Galkayo. Voluntary disarmament has been agreed upon, or is being negotiated, in the north-west and the Lower Juba, respectively. Other militias are stepping forward as well to begin discussions. It is to be hoped that such voluntary disarmament will become the norm in the whole of Somalia.

18. Over the last eight months, UNOSOM, and before that UNITAF, have removed and destroyed hundreds of tons of weapons and ammunition. During March and April alone, UNITAF had confiscated about 150 handguns; more than 750 rifles; more than 200 machine-guns and an equal number of other heavy weapons such as rocket launchers and mortars; nearly 50 armoured vehicles including tanks, armoured personnel carriers, and self-propelled guns; more than 400 artillery pieces; almost 700 other weapons and close to 79,000 items of ordnance. These figures notwithstanding, the attainment of the level of disarmament required for a lasting peace in Somalia would involve continuation of a major effort on the

part of UNOSOM. In this endeavour, the cooperation of neighbouring countries in helping to enforce the arms embargo is essential.

19. The removal of mines throughout Somalia remains an imperative prerequisite for the return of refugees and the resumption of agricultural and livestock production. It is also essential to the welfare of the population, since many mines were planted in populated areas as well. Preliminary estimates indicate that there are up to a million mines to be removed and that the largest concentration of mines is in the north-west. Efforts are now concentrated on ascertaining where exactly, within the general areas identified, the mines are located, as well as the type of mines and the estimated numbers. The most efficient type of removal equipment would be defined by the topography of the particular areas. An operational demining plan is being developed. At the moment, some UNOSOM contingents are removing mines from the roads in their respective areas of responsibility. Somalis in certain areas, such as Belet Uen, have also attempted to clear some mines that interfere with their livelihood. In the north-west, a consortium of European and North American countries is financing the removal of mines until the end of 1993.

Thus, the overall situation in Somalia has stabilized. Outside Mogadishu, in areas where UNOSOM forces are deployed, significant gains have been made in reducing banditry and in fostering the goodwill of the majority of the local population. UNOSOM has continued providing protection for humanitarian relief and undertaking disarmament operations in those areas, and these are gradually being expanded.

III. ASSISTANCE IN THE RE-ESTABLISHMENT OF THE SOMALI POLICE FORCE, JUDICIAL AND PENAL SYSTEMS

21. The key to establishing security and law and order in a system managed by Somalis lies in the re-establishment of the police, judicial and penal systems. Following the transition from UNITAF, UNOSOM has continued to support the Somali police force in the current UNOSOM area of operations and has endeavoured to assist in the north-east and north-west as well. UNOSOM has also developed, together with the Mogadishu legal and judicial community, mechanisms for the selection of judges and magistrates in Mogadishu, and has provided resources and assistance to the prison population in that city. It has also encouraged the development of judicial and penal systems in other areas.

22. The annex to the present report details UNOSOM goals and strategies for the next two years and provides a one-year (May 1993-April 1994) budget estimate for the justice programme. Current embryonic programmes are very fragile and urgently in need of support. Immediate and adequate funding for these programmes is imperative, if the responsibility for maintaining a secure environment is to be assumed by the Somalis themselves as quickly as possible.

IV. PROMOTION AND ADVANCEMENT OF POLITICAL RECONCILIATION AND THE RE-ESTABLISHMENT OF NATIONAL AND REGIONAL INSTITUTIONS AND CIVIL ADMINISTRATION

23. Following the successful Informal Preparatory Meeting for the Conference on National Reconciliation which I convened in Addis Ababa in January 1993, the first session of the Conference was held on 15 March, also in Addis Ababa. Two hundred and fifty participants from a broad cross-section of Somalia, representing political movements, community, religious and women's groups, civic and non-governmental organizations (NGOs) as well as elders and eminent persons were invited to the Conference. On 27 March, the Somali political leaders signed a comprehensive agreement covering disarmament and security issues, reconstruction and rehabilitation, restoration of property and the peaceful settlement of disputes and the establishment of a transitional mechanism. The Addis Ababa agreement was adopted at the closing meeting on 28 March of the first session of the Conference on National Reconciliation.

24. The agreement provides for a transitional period of two years, effective 27 March 1993. The transitional mechanisms will consist of the following four basic organs of authority:

(*a*) The Transitional National Council (TNC), which will act as the repository of Somali sovereignty and serve as the prime political authority having legislative functions during the transitional period. The Transitional National Council will comprise three representatives from each of the 18 regions of Somalia, including one woman from each region, five additional seats for Mogadishu, and one nominee from each of the 15 political factions that participated at the Conference. The total membership of the Transitional National Council will be 74;

(*b*) Central administrative departments, which will be responsible for the re-establishment and operation of departments of civil administration and social, economic and humanitarian affairs, thus preparing for the restoration of a formal Government;

(*c*) Regional councils, to be established in all 18 existing regions of Somalia, comprising three representatives from each district council in the region;

(*d*) District councils, to be established in the present districts in every region. Members will be appointed through election or through consensus-based selection in accordance with Somali traditions.

25. The agreement also provides for the appointment by the Transitional National Council of a Transitional Drafting Committee, to draft a transitional charter following the basic principles of the Universal Declaration of Human Rights and Somali traditional ethics.

26. In the agreement, the Somali parties invited the Secretary-General and his Special Representative to extend all necessary assistance to the people of Somalia for its implementation. In a statement issued on 29 March, the Secretary-General urged the Somali leaders to proceed without delay to work out the practical arrangements for the implementation of the agreement. On 30 March 1993, the leaders decided on a programme of implementation and also agreed to appoint the Transitional Charter Drafting Committee immediately.

Implementation of the Addis Ababa agreement

Deliberations of the Addis Ababa committees

27. The Transitional Charter Drafting Committee met in Mogadishu from 15 to 20 April 1993. The initial Committee was composed only of the representatives of the 15 political factions. This was not in conformity with resolution 814 (1993) which, *inter alia*, requested the Secretary-General to encourage broad participation by all sectors of Somali society to promote the process of political settlement and emphasized the need for broad-based consultations and deliberations to achieve agreement on the setting up of transitional government institutions and for consensus on basic principles and steps leading to the establishment of representative democratic institutions.

28. It was therefore a major objective of UNOSOM to ensure that all Somalis, including political, faction and community leaders, women, professionals, intellectuals, elders and other social groups were suitably represented in the process of preparing the Transitional Charter. In consultation with representatives of the political factions, my Special Representative convened a meeting of a Subcommittee of the Transitional Charter Drafting Committee with broad-based participation, including equal numbers of political and non-political participants. The Subcommittee commenced its work on 26 April and focused on elaborating the following six chapters for the draft transitional charter, which had been identified during the initial 15 to 20 April meeting: general principles; functions and powers of the Transitional National Council; central administrative departments; regional administration; judiciary; and transitional rules. The Subcommittee completed its work on 2 May.

29. On 26 May, my Special Representative convened a meeting of an expanded Transitional Charter Drafting Committee, comprising 30 representatives of political factions and an equal number of non-political participants. The Committee worked on refining the working paper produced by the Subcommittee. It completed its work on 4 June and set up a small working group to finalize the text of the Transitional Charter. The Group however had to suspend its work owing to the outbreak of violence in Mogadishu on 5 June.

30. The Addis Ababa Conference also called for the creation of a committee on the peaceful settlement of disputes in order that claims for the restoration of private and public properties that were illegally confiscated, robbed, stolen, seized, embezzled or taken by other fraudulent means as well as all other disputes among Somalis should be settled in a peaceful manner.

31. This Committee held its first session in Addis Ababa from 19 to 21 March. Its second session was convened by my Special Representative in Mogadishu from 15 to 21 April, with the participation of all signatories to the Addis Ababa agreement. As in the case of the Transitional Charter Drafting Committee, my Special Representative, in consultation with the Somalis, expanded the composition of this Committee to ensure broad-based representation of all sections of the Somali society.

32. Another session of the Committee was convened from 25 May to 4 June in order to refine further the guidelines relating to such issues as compensation and procedures for the settlement of property claims.

33. The Cease-fire and Disarmament Committee established in Addis Ababa for the purpose of implementing the cease-fire and disarmament agreement signed by the leaders of the political factions on 8 January [*see S/25168*] held several meetings in Mogadishu during the period 7 March to 25 May and undertook investigations into incidents of cease-fire violations. During its meetings, the Committee continued the process of developing procedures and guidelines for disarmament and for handling cease-fire violations. During its session of 30 and 31 March, the Committee reached agreement on a set of penalties to be applied against factions violating the cease-fire. The agreed measures include condemnation of the offending party, withdrawal of militias that may occupy territory in violation of the cease-fire, withholding of any aid that the offending faction might be receiving, disarmament of the offending militia and compensation to the victims. During the same session the Committee completed the process of delineating regions that should be disarmed simultaneously in implementation of the Addis Ababa agreement. At a further session, held on 27 and 28 April, the Committee agreed that the disarmament process should also cover small weapons in the hands of the civilian population.

34. The Committee investigated the cease-fire violations during the incidents involving clashes between supporters of the Somali Patriotic Movement/Somali National Alliance and Somali Patriotic Movement in Kismayo on 16 March, 3 April and 6 and 7 May. The attacks on Kismayo of 6 and 7 May were investigated by a special committee previously established by the Cease-fire Committee, to which it reported its findings.

Establishment of district councils

35. It was agreed in Addis Ababa that the 92 districts of Somalia would be those that were functioning as at 31 December 1990. The Transitional Charter Drafting Committee subsequently decided that each district council would have 21 members, selected in accordance with Somali tradition. Any resident of a district over the age of 25 would be eligible for selection. Each district council would select three of its members to serve on the regional council and each regional council would in turn select three citizens of the region to serve on the Transitional National Council.

36. UNOSOM is assisting the Somalis to implement this part of the agreement. In May, UNOSOM began consultations with the Somali people on the establishment of district councils in the north-east region of Somalia. The UNOSOM Deputy Special Representative, Ambassador Lansana Kouyate, led a delegation to Bossasso for discussions with local leaders. Further consultations were conducted by a UNOSOM team in the districts of the Bari and Nugal.

37. The process continued in early June with a UNOSOM political team, led by the Director of Political Affairs, visiting the districts of the Hiran region and consulting with elders, politicians, religious groups, women's organizations and intellectuals.

38. The consultations were interrupted briefly by the tragic events of June. However, in view of the importance of sustaining the Addis Ababa process, consultations were resumed on 27 June with UNOSOM visits to districts of the Gedo, Bakool, Lower Shebelle, Middle Shebelle and Bay regions.

39. The people consulted in these districts have expressed overwhelming support for the establishment of these institutions, through which the people of Somalia will assert their sovereignty. On 3 July 1993, Buur-Hakaba in the Bay region became the first to celebrate formally the establishment of a district council. On 4 and 5 July, Baidoa, also in the Bay region, and Oddur in the Bakool region became the second and third to establish their district councils. By the end of July, a total of 21 district councils had been formed, including two in the north-east. The full list of district councils established as of 31 July is as follows:

Bakool region:	El Barde	Tieglo
	Oddur	Wajid
	Rabdhurre	
Bay region:	Baidoa	Buur-Hakaba
	Bardale	Qansah Dere
Gedo region:	Belet Hawa	Dolo
Hiran region:	Bulo Burti	Mahas

	Jalalasi	
Lower Shebelle region:	Merca	Afgoye
Middle Shebelle region:	Balad	Aden Yabel
	Adale	
Bari region:	Gardo	Bender Beyla

With such strong support from the people, it is anticipated that in the months ahead, many other district councils will be established around the country.

National reconciliation

40. In order to reinforce the process of national reconciliation which the Somali political leaders set in motion in Addis Ababa, UNOSOM has undertaken to help to resolve conflicts at the regional level and to assist in resolving intercommunal disputes. A regional peace conference was convened in Kismayo, one of the most conflict-ridden areas of the country. The conference brought together 152 elders from throughout the Juba region to discuss issues crucial to the restoration of normalcy in the region, such as the reopening of all areas of the region for the free movement of people and commercial traffic, reunification of communities, settlement of property claims, the cessation of hostilities and disarmament. The conference made good progress in its work, and the cooperation of the elders and religious leaders from communities hitherto in conflict brought relative stability to Kismayo, a city that had seen fighting as recently as May. On 6 August conference representatives signed the Jubaland peace agreement in which the signatories committed themselves, on behalf of their clans, to end all hostilities among the more than 20 clans that inhabit Jubaland.

41. During the month of May, UNOSOM also attempted to assist the Somalis in organizing a regional conference on Galkayo and the central regions, another area where tension had persisted among the various militias despite the signing of the Addis Ababa agreement. The leaders of the factions most directly involved - Somali National Alliance (SNA), Somali National Front (SNF), Somali Salvation Democratic Front (SSDF) and Somali National Democratic Union (SNDU) - were invited to Mogadishu. The conference however could not take place under the auspices of UNOSOM because of the position of Mohammed Farah Aidid, who insisted on assuming responsibility for the security and the entire organization of the conference. Consequently, the meeting was limited and excluded some of the key parties to the conflict who would not accept his terms. However, some of the agreements reached between SNA, SNDU and a faction of SSDF that took part in the limited meeting were positive and should contribute to the reinforcement of the objectives of the Addis Ababa agreement, particularly disarmament and peaceful settlement of intercommunal disputes.

42. In the north-west, UNOSOM provided some logistical support for the regional reconciliation conference held in Boroma from March to May. This conference settled a number of regional disputes and reached decisions pertaining to disarmament and the re-establishment of police forces. UNOSOM is assisting in the implementation of the decisions of the conference, consistent with the relevant Security Council resolutions on Somalia.

V. THE PROVISION OF HUMANITARIAN ASSISTANCE AND ECONOMIC REHABILITATION

43. The third coordination meeting on humanitarian assistance for Somalia was held from 11 to 13 March in Addis Ababa. The meeting was attended by representatives of Governments providing humanitarian assistance to Somalia, regional organizations, United Nations agencies and intergovernmental and non-governmental organizations. One of the highlights of the meeting was the active participation of 190 Somali political leaders, community elders and representatives of women's organizations and indigenous NGOs. The Somali participants were the first to underline the importance of security and peace for the effective implementation of relief and rehabilitation programmes.

44. The 1993 relief and rehabilitation programme, which was launched at the March meeting, was endorsed as a valid and useful framework for activities for the remainder of the year. The programme called for US$ 160 million and, as of 27 July, $16 million had been pledged. At the same time, it was recognized that flexibility would have to be maintained, taking into account the realities of the situation in Somalia. There was a consensus that national capacity-building should be given urgent attention. Unless local institutions, including police, judiciary and local administrations, were established, rehabilitation efforts would not be very effective.

45. With available resources, United Nations agencies and NGOs have made considerable efforts to implement relief and rehabilitation programmes throughout Somalia. A number of indicators would suffice to show the broad picture: starvation has largely been eradicated; children who only a few months ago were dying of preventable diseases have now been protected through vastly improved nutrition and massive immunization programmes; schools shut down for three or four years, or destroyed, are steadily reopening; plans to open vocational and teacher training schools are well under way in some parts of the country; the *der* harvest was good and, thanks to the large amount of seeds and tools distributed, the prospects for the coming harvest are said to be excellent; livestock export, the main source of foreign exchange, has been supported and facilitated through extensive inoculation programmes and the provision of veterinary services; and the number of commercial ships arriving at Somali ports has steadily increased. Unless a lasting peace is established, however, these encouraging signs of recovery of economic and commercial activity could quickly be reversed.

46. Projects designed to generate employment have a particularly high significance in the range of rehabilitation programmes. Thousands of young Somalis continue to be engaged in armed banditry and need to be given an opportunity to be involved in rehabilitation and reconstruction schemes as the process of disarmament progresses. High priority must be accorded to funding projects that will generate jobs, which in turn will make a concrete contribution to a more secure environment.

47. As I mentioned in my report to the Security Council on the implementation of resolution 837 (1993), the attacks on UNOSOM forces on 5 June and subsequent events have obliged many of the international relief workers to relocate to Nairobi. As a result of insecurity in south Mogadishu, many humanitarian programmes had come to a temporary standstill. Understandably, humanitarian agencies were concerned about the immediate and longer-term implications of the disruption in the delivery of humanitarian assistance. In spite of the difficult circumstances, a number of agencies maintained their operations to ensure that urgently needed relief supplies reached as many people as possible.

48. While the situation remains tense in Mogadishu South, it has been possible gradually to increase the coverage of humanitarian assistance with protection provided by UNOSOM forces. Humanitarian programmes in most other parts of Somalia were not disrupted with the exception of areas dependent on supplies dispatched from Mogadishu. Staff attached to the Humanitarian Division of UNOSOM are now located in all the regions of Somalia, including the north-west, and are working together with Somalis and international relief workers in expanding rehabilitation schemes.

49. Informal consultations between the United Nations, Governments providing assistance to Somalia and NGOs have been held twice so far in Nairobi, on 22 June and 27 July. There is a clear commitment to work together to meet the immediate as well as the longer-term requirements. In the same way that efforts have been made to involve Somalis in the preparation of the 1993 Relief and Rehabilitation Programme, the challenge now is to ensure that they assume an active role in the longer-term recovery plan and effort.

50. In order to overcome continued dependence on relief assistance, the emergence of indigenous institutional structures at the community, district and regional levels is of critical importance. While the shift from relief to rehabilitation gains momentum, it is essential that adequate resources are made available to support activities that are responsive to the evolving political and security environments. To date less than 15 per cent of the requirements of the 1993 relief and rehabilitation programme has been made available. Unless sufficient funds are provided for rehabilitation programmes, it will be difficult to achieve long-lasting peace and security. The following five areas require attention and urgent action to the end of 1993 in order to set the stage for longer-term development on a sustainable basis.

(*a*) *Continuing emergency relief operations*. Throughout most regions of Somalia, in both urban and rural environments, despite the successful efforts of the Somalis and the international community, there will continue to exist pockets of immense suffering and deprivation. The identification of these remaining areas, the quantification of affected persons and an assessment of their needs is an urgent and essential task. This will lead to a refinement of those strategies that will improve their condition and prepare them for a return to productive endeavour.

(*b*) *Resettlement*. An estimated 1.3 million Somalis are now located away from their homes either as internally displaced persons or as refugees in neighbouring countries. Whether they remain in their present environment or return home, the economic, political and social implications are enormous. Planning for the future is contained in UNOSOM's resettlement policy which is currently being implemented in several regions, albeit with minimum resources.

(*c*) *Reinvigoration of the productive sector, in particular agriculture, livestock and fisheries*. The agriculture, livestock and fisheries sector has traditionally made the greatest contribution to Somalia's gross national product. Agriculture has been responsible for 65 per cent of employment and 70 per cent of its foreign exchange earnings. The challenge is to target support for the Somali efforts to return large numbers of their people to productive endeavour by removing constraints to expansion and growth.

(*d*) *Revitalization of the social services*. Somalis, in all regions, with extraordinary support from NGOs, United Nations organizations and UNOSOM, have made critical contributions to the re-establishment and maintenance of the education and health systems. The rebuilding of schools and health centres has proceeded steadily. These efforts have been possible only through volunteer contributions of Somali teachers, health workers and community leaders. The stage is now set for external contributions of low-cost high-value materials and supplies to enhance these volunteer efforts to improve the quality of Somali life.

(*e*) *Resuscitation of commerce and trade*. With minimal encouragement from external sources, Somalia's formal and informal private sector in all regions long ago began the task of breathing life into commercial and trading activities. Street vendors, farmers, businessmen and traders demand services from ports and airports in an effort to stimulate business and expand the base for employment. Somali and foreign investors have developed plans to expand business and provide a wide range of consumer services to their communities. These services include international transportation and telecommunications, petroleum distribution, banking and finance.

51. While efforts to implement the above priority programmes continue, consultations have been initiated with the World Bank on planning for long-term reconstruction and recovery. Two consultations with bilateral and multilateral donors have already been held and a third meeting is expected to take place on 21 October in Paris. UNOSOM intends increasingly to involve emerging Somali organizations in this process.

VI. PUBLIC INFORMATION ACTIVITIES IN SUPPORT OF UNOSOM OBJECTIVES

52. In accordance with paragraph 4 (*f*) of resolution 814 (1993), UNOSOM has developed appropriate public information programmes in support of United Nations activities in Somalia.

53. While international media attention has been more focused on UNOSOM's military and security-related actions in Mogadishu, the United Nations continues to implement a wide range of activities throughout the country to promote Somalia's political reconciliation, rehabilitation and reconstruction. Fostering greater awareness of these activities and of UNOSOM's broad mandate among the international media and the Somali people has been the primary objective of the public information programme, but without great success.

54. The public information activities of UNOSOM are coordinated closely with United Nations agencies and NGOs. Information materials are regularly prepared and distributed to international and Somali media at daily news briefings held at UNOSOM headquarters. Regrettably, these efforts have had little effect on the media.

A. *Radio programming*

55. The high rate of illiteracy in Somalia and its scattered population, in conjunction with its lack of infrastructure and telecommunications, has made radio programming an essential component of UNOSOM's public information campaign. Radio Maanta broadcasts a 45-minute programme seven times a day. Broadcasts consist of information on UNOSOM activities, statements issued by my Special Representative and the Force Commander, features highlighting progress made in promoting Somalia's political reconciliation and economic recovery, recitations from the Koran and traditional Somali music.

56. Radio Maanta broadcasts on short-wave, reaching Mogadishu and outlying areas. The programme is also broadcast once a day over the Italian contingent's FM station in Mogadishu. However, Radio Maanta is not received clearly in many parts of the country because of the limited capacity of its present transmitter and aerial.

57. Countering anti-UNOSOM propaganda has been an important task of its information programme. UNOSOM's disarmament operation of 12 June effectively neutralized Radio Mogadishu, which

had been under the control of USC/SNA and was a source of increasingly hostile propaganda against UNOSOM. Since that period, however, clandestine radio broadcasts have sought to disrupt Radio Maanta and other Somali broadcasts, by broadcasting at the same time and on the same frequency.

58. To extend Radio Maanta's outreach to the entire country and to prevent its being jammed by sources of hostile propaganda, additional transmitters are required in other parts of Somalia. A preliminary technical study suggests that the use of medium-wave transmitters should alleviate some of the transmission problems that Radio Maanta currently faces. The strengthening of this prime means of communication is being proposed as an urgent addition to the budget.

59. Until additional transmitters can be established, UNOSOM is examining the possibility of transmitting radio programming over the external short-wave radio services of neighbouring countries. Consultations on the matter are currently under way with authorities in Djibouti, Ethiopia and Kenya.

B. *Print media*

60. UNOSOM's Somali-language newspaper, *Maanta*, is published 6 days a week in Mogadishu and distributed to 11 other cities in Somalia. Its circulation, however, has been limited to 25,000 copies.

61. UNOSOM currently relies on the military to transport *Maanta* newspaper to other parts of Somalia. However, military aircraft have been unable to make daily deliveries of the paper. In Mogadishu, distribution has been hampered by the heinous murder on 7 July of six Somalis employed to deliver the newspaper. Other Somali staff of both *Maanta* and Radio Maanta have expressed concern for their personal safety. UNOSOM is at present considering an offer from a Somali contractor to undertake *Maanta's* distribution in Mogadishu. The provision of additional resources would enable UNOSOM to transmit the newspaper and other information materials, such as press releases, electronically to various cities in the country for local printing and dissemination.

62. UNOSOM has also recently introduced an English-language version of *Maanta*, for dissemination to United Nations agencies, NGOs and others in the international community.

C. *Media relations*

63. The peace-enforcement mandate of UNOSOM and the large number of Member States contributing military personnel have heightened the attention of the international media. To serve their needs for information, as well as that of the local Somali press, UNOSOM continues to extend its media outreach through press briefings, the issuance of media releases and fact sheets, answering media inquiries and coordinating media interviews of senior UNOSOM officials.

64. Regular daily briefings by the UNOSOM civilian and military spokesmen ensure an outflow of information on political, military and humanitarian aspects of the work of UNOSOM. Summaries of these briefings are prepared daily and transmitted to United Nations Headquarters in New York and to the United Nations Information Centre in Nairobi for redissemination.

65. UNOSOM has organized visits to different areas in Somalia for journalists and these have enhanced media coverage of UNOSOM humanitarian activities, such as flood relief or the distribution of food rations. Journalists have also accompanied UNOSOM officials engaged in consultations with community leaders throughout Somalia on the establishment of district and regional councils.

D. *Public outreach*

66. In addition to *Maanta* newspaper and radio programming, UNOSOM has sought to reach out to the Somali population through its presence in the field. Regular updates on political, humanitarian and security-related aspects of UNOSOM's activities are translated and provided in both English and Somali to each of the UNOSOM zone offices for redissemination to local communities.

67. Leaflet drops and posters issued by UNOSOM military officials have also served to highlight UNOSOM objectives and activities.

68. Given the lack of telecommunications in Somalia, personal contact between UNOSOM officials and the Somali public has been an effective means of conveying UNOSOM's message. My Special Representative, his Deputy and other UNOSOM officials, especially those in the zone and sub-zone offices, have held numerous meetings with Somali community leaders, elders, women's and youth groups, representatives of businesses and political movements and local NGOs throughout Somalia to promote public understanding and support of UNOSOM's mandate and objectives. This programme will improve as zone and sub-zone offices become properly manned.

VII. OBSERVATIONS

69. The mandate established by resolution 814 (1993) reflected the deep complexities in the situation then prevailing in Somalia, which the United Nations undertook to resolve. It was evident that UNOSOM would need to receive full cooperation from the people of Somalia, especially the faction leaders, if it was to accomplish its tasks smoothly. At the same time, the international community had recognized that the complexities of the situation could lead to major difficulties in the tasks set for UNOSOM. It was precisely for this reason that the Security Council decided to establish UNOSOM II under Chapter VII of the Charter of the United Nations.

70. Regrettably, the short-sighted attitudes of leaders of a few factions aggravated the difficult situation. Despite their deliberate attempts to obstruct UNOSOM from performing the tasks assigned by the Security Council, the overall situation in Somalia has undergone a major transformation. The course had already been determined by the highly effective intervention by UNITAF. Following the establishment of UNOSOM II, conditions in most parts of the country have stabilized. Humanitarian assistance is reaching its destinations, protected from attacks and looting by armed bandits and militia. People are going about their normal routines. Schools are reopening. Land is being tilled, crops are being planted and livestock even being exported. Local councils of clan elders are meeting and cooperating with the United Nations efforts to help Somalia to re-establish normal conditions. This contrasts starkly with the situation at the beginning of 1993, when the Somali people still were suffering from the effects of a brutal civil war fuelled by the ambitions and enmities of warlords that had claimed hundreds of thousands of innocent Somali lives.

71. A major task that fell to UNOSOM after it took over responsibility from UNITAF was the disarmament of the armed groups who had terrorized the people and made extortion from humanitarian assistance agencies the source of their considerable income. At the Organization of African Unity (OAU) Summit in Cairo last June, I had the opportunity to exchange views with several African leaders on the situation in and relating to Somalia. There was strong support for the United Nations effort in Somalia, particularly for the need to take appropriate measures to ensure the full implementation of the disarmament provisions of the Addis Ababa agreement. These views were expressed in Cairo both in the resolution adopted by the OAU Council of Ministers [illegible] and the statement issued by the Horn of Africa Standing Committee on 23

June 1993. In my discussions with the Secretaries-General of the League of Arab States and the Organization of the Islamic Conference, strong support was also expressed for the United Nations role in Somalia.

72. The priority that UNOSOM gave to disarmament generated the hostility of a few clan leaders, fearful of losing their power, towards UNOSOM. The ambushing of UNOSOM personnel by such elements on 5 June and on subsequent occasions left UNOSOM no choice but to take forceful action to effect the disarming required under the Addis Ababa agreement. The exploitation of such actions to provoke hostilities towards UNOSOM has ill-served the people of Somalia and has led to loss of life for which the responsibility rests squarely with the faction leaders, in particular Mohammed Farah Aidid.

73. I am conscious of the feeling in some quarters that UNOSOM is deviating from its primary task of ensuring the safe distribution of humanitarian assistance, rehabilitation and reconstruction of Somalia, and is concentrating disproportionate efforts and resources in military operations. I know that some of this criticism is well motivated by good intentions. However, the international community has known from the beginning that effective disarmament of all the factions and warlords is *conditio sine qua non* for other aspects of UNOSOM's mandate, be they political, civil, humanitarian, rehabilitation or reconstruction. Unless disarmament is fully implemented, it would not be reasonable to expect UNOSOM to fulfil other aspects of its mandate. The fact that UNOSOM has been able to achieve the progress that it has in different parts of the country, despite the armed hostility that it faces almost daily from Mohammed Farah Aidid and his militia, is testimony to the Somali people's as well as UNOSOM's resolve not to be deterred by such obstacles as well as to the desire of the Somali people for peace and normalcy. But the fact remains that the country will not enjoy complete stability unless and until the criminal elements have been apprehended and brought to justice as demanded by the Security Council in its resolution 837 (1993). I am convinced that the Security Council fully endorses this approach. It is important to realize the interface between the political, military and humanitarian components of the United Nations presence in Somalia.

74. In view of these circumstances, I have reached the conclusion that UNOSOM requires the assignment of an additional brigade in order to extend its activities, pursue the programme of disarmament in the central and northern regions of the country, restore security through disarmament in Mogadishu and adequately tackle the refugee problem. This additional troop strength should enable the military component to be more effective, more rapid and move widely. Such broader effectiveness should in turn enable UNOSOM to fulfil its mandate within a shorter period of time. This step would result in a temporary increase in UNOSOM's troop strength, and I would endeavour to meet the additional costs from within the appropriation levels already approved.

75. The restoration of security and stability to Somalia requires the re-establishment of the Somali police force, the judicial system and the penal system, in order to enable Somalis quickly to assume full responsibility for law and order in their country. The initial steps must be taken within the framework of the transitional machinery envisaged in the Addis Ababa agreement, beginning with the district and regional levels. Ultimately, this will facilitate the progressive disengagement of the United Nations from its present role in Somalia. Furthermore, once Somalia has surmounted the dangers posed by the wide prevalence of heavy weapons, a well-organized and effective police force would be able to limit the spread of light weapons. It is therefore imperative and urgent that resources in funds and training assistance, as well as in efficacious transitory arrangements, be made available by donor Governments.

76. A high priority for UNOSOM is its assistance to the political reconciliation process. District councils have been formed, and efforts to sustain this momentum will continue in order to form the regional councils and the Transitional National Council as quickly as possible. UNOSOM has also sponsored the reconciliation meetings of clan elders in various regions in Somalia, where the effects are apparent in the restoration of stable and secure conditions, in stark contrast with the suffering from inter-clan conflict. It is my hope that these successes will encourage peaceful reconciliation in other parts of the country.

77. Looking beyond the situation in Somalia, the focus of this report, it is necessary to give attention to the serious problems encountered in establishing UNOSOM, which are symptomatic of the inadequacies of the present structure and procedure for coping with the heavy demands of the new generation of United Nations peace-keeping operations. Especially in UNOSOM, but also in the establishment of other large missions over the last two years, the delays and complications arising from the application by the Secretariat of established administrative, financial and logistical procedures, made their obsolescence obvious. As members of the Council are aware, measures already are under way to improve the procedures and practices in the Secretariat, and I am grateful for the support being received from various Governments.

78. Another serious and sensitive problem that arose in UNOSOM, and of which members of the Council are aware, is the one related to command and control over United Nations peace and security operations. The principle and practice of unity of command that was developed over decades of peace-keeping operations have come under strain in recent operations whose mandates fall, at times partially, under Chapter VII of the Charter. Owing perhaps, to the particularly complex and dangerous conditions under which UNOSOM found itself operating, the actions of some contingent commanders had the effect of weakening the integrity of UNOSOM's military command structure. Following clarification at both the political and the operational levels, these difficulties were settled. In the case of the Italian contingent, which received undue media attention, I am glad to report that there is complete coordination between the United Nations and the Italian authorities and the matter has been resolved. The Italian contingent of 2,540 troops in Somalia is largely located in the Jalalasi area, with several units in northern Mogadishu. While there has been constant and complete coordination in the Jalalasi area, for the Mogadishu area a diversity of views has arisen about some modalities of the implementation of the United Nations mandate. Consequently, Italy has asked that its Mogadishu units be redeployed elsewhere in Somalia, and this request has been accepted through an exchange of letters between the Foreign Minister of Italy and myself. Talks are already under way to define where these units will be redeployed.

79. Nevertheless, this issue deserves attention in order to avoid future complications that could weaken the effectiveness of United Nations missions in the interest of international peace and security. When the Council authorizes an operation under Chapter VII of the Charter, clearly there will be an increased risk of casualties among military personnel under United Nations command. It is entirely understandable that Governments will be highly sensitive to this risk and that they will wish to ensure the highest possible security for their personnel. Yet, I am certain that all States Members of the United Nations will agree that such risks can be minimized only if there is effective command and control on the ground by the Force Commander. This also ensures that the Commander is able to make the maximum use of his resources to achieve the objectives in the mandate received from the Council. Therefore it is clear that it is in the interest of the United Nations that the integrity of the command and control of United Nations military operations be respected in all peace and security operations, whether under Chapter VI or Chapter VII. Of course, it is essential that troop-contributing countries be

fully consulted and be kept fully informed, at both the political and the operational levels. I am ensuring that this be done on a regular basis and I am confident that all concerned will cooperate in the common interest.

80. In concluding the present report, I wish to express my warm appreciation to my Special Representative, Admiral Howe, to the Force Commander, General Bir, and to all the men and women, soldiers and civilians, who have made a superb contribution to the furtherance of the United Nations mandate in Somalia under very difficult conditions. My appreciation also extends to the International Committee of the Red Cross, NGOs and the many Governments that have assisted and strengthened UNOSOM in the fulfilment of its historic tasks. Above all, I wish to pay profound tribute to the soldiers of UNOSOM, the Somalis working for UNOSOM, relief workers as well as the journalists who lost their lives in endeavouring to help Somalia, under United Nations auspices, in its hour of need.

ANNEX I

The re-establishment of security in Somalia: the police, judicial and penal systems

1. The Somali political leaders agreed during the first session of the Conference on National Reconciliation in Somalia, held at Addis Ababa in March 1993, on the need to establish an impartial national and regional Somali police force in all regions of the country on an urgent basis through the reinstatement of the former Somali Police Force and recruitment and training of young Somalis from all regions, and requested the assistance of the international community in that regard.

2. The Addis Ababa agreement also provided for the Transitional National Council, as the repository of Somali sovereignty, to establish an "independent judiciary".

3. In my previous reports [*S/24992, para. 30, S/25168, para. 23 and S/25354, para. 46*], I stated that the establishment of an effective Somali police force would be a crucial step to create a secure environment in Somalia.

4. The Security Council, in paragraph 4 of its resolution 814 (1993), requested the

> "Secretary-General, through his Special Representative, and with assistance, as appropriate, from all relevant United Nations entities, offices and specialized agencies, to provide humanitarian and other assistance to the people of Somalia in rehabilitating their political institutions and economy and promoting political settlement and national reconciliation, in accordance with the recommendations contained in his report of 3 March 1993".

This included, assistance in the

> "re-establishment of Somali police, as appropriate, at the local, regional or national level, to assist in the restoration and maintenance of peace, stability and law and order, including in the investigation and facilitating the prosecution of serious violations of international humanitarian law".

5. In my report of 3 March 1993 [*S/25354, para. 50*], I indicated that I would bring to the attention of the Council my recommendations based on a more detailed assessment of the re-establishment of the Somali police force. The present report contains those recommendations.

I. THE PRESENT SECURITY SITUATION

6. Despite recent divisions in the Somali Salvation Democratic Front (SSDF), which exerts administrative control over the region, the north-east seems to be secure and peaceful. There is practically no banditry problem. The traditional concern of the region has been possible attack by armed elements from across regional borders to the south and west. However, ongoing political reconciliation and disarmament programmes should reduce this threat. SSDF controls the security situation in the region. At present there are approximately 700 policemen in the region, about 70 per cent of whom were members of the former Somali National Police Force.

7. The Bay region also has a relatively satisfactory security situation except for banditry along the Oddur-Baidoa road. The police patrol Baidoa, the capital of the region, without arms.

8. In the Gedo region, the security situation is relatively satisfactory, although isolated acts of banditry still occur. Police in Bardera conduct joint patrols with UNOSOM military forces in the city, but there is need for a rural guard to provide protection in outlying areas. For example, Somali refugees returning from Kenya recently were attacked by bandits about 50 kilometres from Bardera. The 2,000-strong police force which existed before the civil war was needed partly because of the long border with Kenya and Ethiopia.

9. The aftermath of the 5 June 1993 attack on UNOSOM military forces has caused serious security problems in Mogadishu. Security has deteriorated in the city owing to the presence of large numbers of weapons and large numbers of clan fighters still residing in the city. Three thousand former members of the Somali police have been re-formed into a new police force. In general, police and weapons are confined to the stations at night, unless joint operations are planned with UNOSOM. Police have continued their duties during the recent security incidents involving UNOSOM military forces and participate with these forces in selected missions.

10. The crime problem in Afgoi is exacerbated by looters along the Merca-Afgoi road and others leaving Mogadishu who pass through the area. Rural guards or a mobile quick reaction force may be needed to assert control in this area.

11. After the successful conclusion of the four-month Borama conference, political conciliation among clans and a broad-based administration determined to disarm and demobilize the clan-based militias have emerged in the north-west region. Disarming and demobilization are expected to improve security in the region as the security problem in the north-west has stemmed primarily from clan-based militias.

12. In Kismayo, armed factions have conducted military raids into the city and control of the city has changed twice in the last four months from one faction to another. Likewise, the police have been reorganized twice in the city. UNOSOM political and military elements are working with elders of all clans/factions to defuse tension in the Kismayo region.

13. It is clear that, while the security situation in some parts of Somalia is still less than satisfactory (particularly in Mogadishu), security has improved in the north-east, north-west, Bay and Gedo regions. A critical element in creating the security conditions necessary for the re-establishment of the Somali police force is the disarmament of the entire country, a task which is part of the UNOSOM mandate.

14. The restoration of law and order, peace and stability in Somalia requires not only the strengthening of the police forces but also a legal system that provides the basis and framework for police activities. This should include the basic laws that the police will have to enforce, a judicial system to adjudicate the cases of those arrested by the police and a penal system that can detain and punish offenders. Additionally, as a result of the civil conflict in Somalia over the last five years, investigation and facilitating the prosecution of serious violations of international humanitarian law will require a special approach, perhaps using international investigative staff and justices.

II. PROPOSED UNOSOM STRATEGY

A. *Police*

Objectives

15. The attainment of the overall objective of UNOSOM with regard to the establishment of a national neutral police force must be approached through a framework comprising three tiers - national, regional and district - with police forces being answerable to appropriate local authorities in each tier. In the light of the fact that at the moment only at the district level have local authorities been established, i.e. district councils, implementation of the overall objective must, therefore, begin at that level and expand to the regional and national levels, involving ultimately the Transitional National Council when established. UNOSOM's role in this endeavour must remain that of a facilitator.

16. Expansion of the 5,000-person police force composed of former policemen into a force of 10,000 can be accomplished by bringing into the UNOSOM programme approximately 1,500 police operating in the north-east and approximately 1,500 police operating in the north-west. The police in these regions would need immediate on-station, in-service police training. Additionally, 2,000 persons would be recruited country-wide and undergo basic training in groups of 400. If training begins in October 1993, five cycles of 400 recruits in each cycle will produce 2,000 new policemen by December 1994.

17. The number of police required to perform law enforcement and security duties is a matter of continuing assessment. To develop an 18,000-person-strong police force (the number of police prior to the civil war) that can assume law enforcement and security duties by March 1995 (the currently projected time for completing the UNOSOM mandate), existing police units must be expanded and police forces developed in the smaller population centres throughout the country. While former policemen (approximately 3,000) will provide the foundation for this expansion, the police recruit training process also can help to reintegrate carefully selected ex-militia into Somali society by providing them with professional employment and discipline. The ex-militia would take a loyalty oath to Somalia and would be carefully observed during their training to ensure that factional loyalty is eliminated. An estimated 4,000 to 5,000 more recruits could be trained as policemen by December 1994 if two additional training academies are made available through international donor programmes.

18. A national police structure could be in place if the Transitional National Council so decides. Pending the establishment of the national structure, the police will be organized and operationally controlled on a regional and district basis. The governmental authority could request that international police advisers continue their service, if needed.

Strategy

19. Until a Somali governmental structure is established, the police force(s) will be under the operational control of the regional and district councils. An international police component of UNOSOM will provide assistance to these entities in the discharge of their responsibilities and will provide advice and training to the police forces.

20. The regional police commanders will be assisted by international experts who will act as police advisers. Regional political and operational considerations will determine if UNOSOM will appoint a national police chief for the interim report.

21. During this period, close coordination and cooperation between the UNOSOM military and Somali police is critical in ensuring comprehensive and coordinated security policies and operations. However, upon the arrival of the full component of international police advisers, UNOSOM military forces will end their control of police activities. None the less, close policy and operational coordination will be maintained between the police advisers, UNOSOM military and the Somali police.

22. A police training academy/institute will be created and organized with the assistance of international police advisers. The police institute will begin its first basic police courses in October 1993. Refresher courses for serving police officers will be carried out throughout the country by mobile training teams. The institute will train 400 recruits per cycle in a three-month basic police training programme, thereby meeting the recruit training objective of 2,000 which will increase the police force to 10,000 by December 1994. Recruitment will be proportional among clans on a regional basis and the clan balance will be maintained throughout all phases of recruitment.

23. Additionally, the institute will maintain a police personnel evaluation centre and a police documentation centre, which will be available to the entire police force. Training programmes will be provided to basic, intermediate and supervisory police personnel. The institute also will provide instruction for magistrates and custodial corps personnel.

24. In providing assistance, UNOSOM will build on the Auxiliary Security Force initiated by the Unified Task Force (UNITAF) as the foundation of the UNOSOM-supervised Somali police force. UNOSOM will, however, conduct a review of members of the Auxiliary Security Force to determine if they meet the following requirements:

(*a*) Two years' prior experience before 26 January 1991 with the former Somali Police Force;

(*b*) No crimes committed against the Somali people;

(*c*) No physical disability, with rare exceptions.

Those who do not meet the requirements will not be retained in the police force. Special care will be taken to retain the most competent. Where militia have been the foundation of existing police forces, UNOSOM will consider supporting those forces with salaries and equipment, but will require that militia undergo, in a timely fashion, basic police and human rights training. Police officers must renounce loyalty to political and paramilitary forces and take an oath to the objectives and goals of the new Somali National Police Force and to serve the Somali people and nation.

25. To increase the strength of the police to 10,000 throughout Somalia by December 1994, UNOSOM will start a new recruitment programme, as soon as the training facilities and the trainers are available, using as a minimum the following criteria. Recruits must:

(*a*) Be between 18 and 25 years of age;

(*b*) Not have committed any crime against the Somali people;

(*c*) Have no physical disability;

(*d*) Have a certain level of literacy;

(*e*) Be selected by the local chief of police, recommended by community leaders and in consultation with the UNOSOM regional military commander, where applicable;

(*f*) Be selected in such a way as to ensure a proportional balance of clan representation.

26. UNOSOM will evaluate, region by region, the need to organize and train mobile quick reaction forces. This type of force can be used to assist in rural area bandit apprehension, disarmament operations under the supervision of the UNOSOM military and other quick reaction missions. Where there is a need for a regional mobile quick reaction force, the force would be under the operational control of the UNOSOM regional international police adviser and the UNOSOM military commander.

27. Taking into account the security environment of each region, UNOSOM military and police advisers will determine on a station-by-station basis, the number of weapons that will be provided to each police station.

28. Initially, UNOSOM will provide modest salaries, undertake limited renovation of police facilities, provide basic transportation and communications equipment, conduct basic police training and provide some specialized training. The salary scale must be sustainable by revenues generated by the future Somali Government.

B. *Judicial system*

Objectives

29. By 31 October 1993, an interim three-tier judicial system will be in place. The 1962 Criminal Procedure and Penal Codes will be enforced. Initially, judges and magistrates for the system will be compensated modestly by UNOSOM and encouraged to consider this involvement as a civic responsibility. Court rooms and administrative workspace will be renovated and office equipment will be furnished for each court.

30. By 31 March 1995, the Transitional National Council will have determined the type of judicial system and laws of the country. The interim judicial system will be adjusted to accommodate the system called for by the Transitional National Council.

Strategy

31. After the Transitional National Council is formed, it will be asked by UNOSOM to take an early decision on the structure and organization of the judiciary and the applicable laws, both civil and criminal, throughout Somalia.

32. Since 4 May 1993, the 1962 Somali Criminal Procedure Code and Penal Code continue in force in areas where there exists a functioning judicial

system Consistent with the decision of the Boroma conference. the Indian Penal Code and Criminal Procedure Code. which was in use in the north-west prior to 1960. will be in force in that region

33 The interim judicial system will be modelled on the 1962 court system and will have three levels courts of appeal. regional courts and district courts District courts are to hear civil and criminal cases where conviction would result in imprisonment for less than 10 years Regional courts are to review cases from district courts and are to have original jurisdiction over criminal cases in which conviction would result in imprisonment for three years or more

34 In Mogadishu a Judicial Selection Committee made up of 13 respected Somalis and advised by UNOSOM Justice Division officials will select judges and magistrates for the court system in the city and will oversee issues of ethics and discipline in the judiciary Similar councils will be formed in other regions of Somalia for the selection of judges and magistrates

35 Should Somali judges be threatened or intimidated and therefore either refuse to adjudicate particular cases or are pressured into issuing decisions not based on legal grounds. UNOSOM will consider. after consultation with the Judicial Selection Committee. a programme whereby consideration may be given to foreign judges being asked to serve in selected courts (It should be noted that foreign judges did serve in the Somali court system in the 1960s and foreign judges are serving in some East African countries today) Upon request. UNOSOM military forces will provide security for judicial proceedings until Somali police forces are able to provide the required security

36 A probable-cause hearing must be held within 48 hours of detention. unless there is no magistrate within a reasonable distance The hearing will take place as soon as possible. depending on the location of magistrates and their schedules

37 UNOSOM will have civilian judicial advisers assigned to provide advice and assistance in the re-establishment of the interim Somali judicial system

38 As required by the UNOSOM mandate from the Security Council. UNOSOM police and judicial advisers will assist the Somali justice system in investigating allegations of serious criminal violations. including "crimes against the Somali people". and in facilitating the prosecution of criminals

39 When security conditions require and until appropriate Somali prisons are renovated. UNOSOM will assist in maintaining a detention facility for persons whose security cannot be guaranteed in existing confinement facilities United Nation standards on human rights will be respected in these facilities

40 UNOSOM. with the assistance of the Police Institute and an appropriate university training faculty. will fund a judicial training or review programme for judges and magistrates and a court administration training programme for administrative staff

41 UNOSOM will fund modest renovation of court facilities. provide limited equipment and supplies. training and modest salaries for judges and court administrative personnel

C *Prison system*

Objectives

42 By 31 October 1993. basic renovation of the prison facilities in Mogadishu and Hargeisa will have been completed. salaries paid and food for prisoners supplied UNOSOM advisers will provide advice and supervision to detention facilities and prisons

43 By 31 March 1994. if necessary. other prisons will have been re-established in other areas. including Bossasso and Kismayo

Strategy

44 Humane treatment of prisoners is of the utmost concern

45 UNOSOM will rehabilitate prison facilities in Mogadishu and Hargeisa and a juvenile detention centre in Mogadishu

46 UNOSOM will employ members of the old Custodial Corps to manage the prisons Initially. UNOSOM/international donors will pay salaries for 1,000 members of the Custodial Corps 400 in Mogadishu. 200 in Hargeisa. 200 in Bossasso and 200 in Kismayo Salary levels will be calculated so they can be sustained by local revenues following UNOSOM's departure

47 Custodial Corps personnel must fulfil the following conditions

(*a*) Have had two years' custodial experience prior to 26 January 1991.

(*b*) Have committed no crime against the Somali people.

(*c*) Have been approved by senior Custodial Corps personnel

48 United Nations agencies and NGOs will be requested to provide food for prisoners

49 UNOSOM will supply an appropriate number of weapons for prison staff

50 Upon request. UNOSOM military will back up external security when required

51 UNOSOM prison advisers will give legal. penal and human rights assistance to prison officials located in their zones

52 UNOSOM will ask the International Committee of the Red Cross, United Nations agencies (e g the World Health Organization) and NGOs (such as Amnesty International). to monitor conditions in the prisons and any human rights violations

D *Investigation of violations of international humanitarian law*

Objectives

53 In order further to meet the requirements of resolution 814 (1993), UNOSOM will establish an Office of Human Rights to investigate and facilitate prosecution of serious violations of international humanitarian law

54 By 15 August 1993. the UNOSOM Office of Human Rights will be staffed by a six-person investigation team from Member States and will. among other things. assist in the establishment of a local Somali human rights committee

55 At its forty-ninth session. in February-March 1993. the Commission on Human Rights of the United Nations recommended. and the Economic and Social Council. on 28 July 1993. approved the appointment of an Independent Expert on Human Rights for Somalia In addition to the Independent Expert's specific human rights function. the Expert could act as Ombudsman for police. judicial and prison issues

56 By the end of 1993. ongoing investigations possibly will lead to the apprehension of several suspects in several major human rights cases International justices will conduct trials in these human rights violation cases if Somali justices decline to hear cases as a result of threats or intimidation

Strategy

57 The Security Council. in its resolution 814 (1993) enjoins UNOSOM to assist in the "restoration and maintenance of peace. stability. law and order. including investigation and facilitating the prosecution of serious violations"

58 UNOSOM will establish a team of international specialists which will investigate. in cooperation with the Somali police. human rights violations committed against the Somali people. as well as against international assistance workers Such violations include mass murders of Somali citizens. murder. attempted murder and threats of bodily harm against international assistance workers and UNOSOM employees

59 UNOSOM will establish a central registry of murders attempted murders. threats to security and crimes against property The registry will maintain investigation files on each case

60 UNOSOM will establish a property claims investigation team to deal with crimes involving theft of money. looting and destruction of United

Nations agencies, the offices and warehouses of NGOs, looting and destruction of Somali Government buildings, infrastructure, vehicles and other assets, looting and destruction of diplomatic missions. The team will decide whether a reported property crime comes under its jurisdiction. All property crimes not under the jurisdiction of the team will be directed to the Somali police for investigation.

61. UNOSOM will encourage the Transitional National Council to establish a property claims division as a special division of the regular Somali court system to deal with crimes against property committed from 26 January 1991 to the present. This division of the court should have the authority to punish perpetrators of property crimes in accordance with applicable Somali laws and should be enabled to order restitution of property, or payment of damages, or both. This initiative will build on the work accomplished by the committee for the peaceful resolution of property disputes.

62. UNOSOM will encourage international human rights groups to assist Somali human rights organizations with human and financial resources.

63. The estimated one-year cost of establishing an internationally staffed office for investigation and facilitating prosecution of serious violations of humanitarian law is estimated at $2,322,000. This office will be staffed under the peace-keeping budget and from international volunteers.

III. FINANCIAL ASPECTS

64. The total cost of direct support of the re-establishment of the Somali justice system is estimated at $45,130,000 for the first year (see appendix). It needs to be emphasized that this is considered the minimum amount required to start the Somali justice system going so that it may take over as soon as possible from UNOSOM the function of maintaining law and order. If nations donate actual equipment, budget requirements will be reduced. When I submitted the addendum to my last report [*S/25354/Add.1*], a detailed assessment of the extent of the disintegration of the Somali justice system and the destruction of its infrastructures had not been made. At that time, I proposed a figure of $8,900,000 needed just to continue the support of the 5,000-person Auxiliary Police Force to be inherited from UNITAF.

65. To implement this programme, UNOSOM will have international police management and advisory staff at UNOSOM headquarters, zone, sub-zone and district levels to ensure daily contact with Somali police down to the station level. UNOSOM will also have the required international expertise to assist the Somalis to re-establish their judiciary and prison systems and to investigate serious violations of international humanitarian law. I estimate that the international staff needed for this undertaking will cost $10,308,000 per annum. These positions will be funded under the peace-keeping budget.

66. In my previous report [*S/25354, para. 89*], I indicated my intention to maintain the United Nations fund for operations in Somalia authorized by the Security Council in paragraph 11 of its resolution 794 (1992). I am gratified to learn that there are a number of countries preparing to make further voluntary contributions to this fund or contributions in kind (Egypt, Germany, Netherlands and Norway). The amounts pledged may not, however, be sufficient to cover the costs of the re-establishment of the Somali justice system and the costs of international staff to provide the required assistance. In that event, I will not hesitate to recommend alternative financing arrangements to meet the shortfall.

67. Member States could contribute funding, equipment or training on either a nationwide or regional basis. If contributions are provided on a regional basis, UNOSOM would provide guidance to ensure inter-operability of equipment and to ensure a logical proportional balance of equipment and training based on the needs of the regions.

IV. OBSERVATIONS

68. The overwhelming desire of the Somali people for the restoration of peace and law and order to their country and the eagerness of members of the former Somali police force and Custodial Corps, magistrates and judges who have resurfaced and offered their services to restore and re-establish their justice system have convinced me that the Somalis will respond positively and constructively to the assistance extended by the international community.

69. Successful police and justice systems in Somalia will cut the cost of peace-keeping operations as fewer military forces will be required to maintain security. In addition, with required basic infrastructures of the whole justice system rebuilt during the first year, significantly lower financial resources should be required during the second year to bring the system back to a level capable of maintaining internal security throughout the entire country.

70. The objectives of the UNOSOM humanitarian programme include assisting in the regeneration of the Somali economy and the re-establishment of its public finance system. There are indications that the Somali economy, at least the agriculture, livestock and trade sectors, have been relatively resilient in withstanding the civil war. It is expected, therefore, that the transitional national authority and regional authorities will be in a position to finance their newly re-established justice system as soon as their public finance system is restructured. It should be noted that the north-east region is financing its police force at a modest level substantially through revenue from the Bossasso port.

71. The full maintenance of internal security by the Somalis themselves would not only enable them to embark on their own rehabilitation, reconstruction and development process but, as I indicated in my previous report [*ibid., para. 86*], would also render a substantial United Nations military presence no longer necessary. This modest expenditure to re-establish the Somali justice system would therefore enable a rapid reduction in the relatively large UNOSOM military expenditures. I consider, therefore, that this expenditure for the justice system is cost-effective.

APPENDIX

United Nations Operation in Somalia (UNOSOM)

Reconstitution of the police and re-establishment of the judiciary and penal systems in Somalia

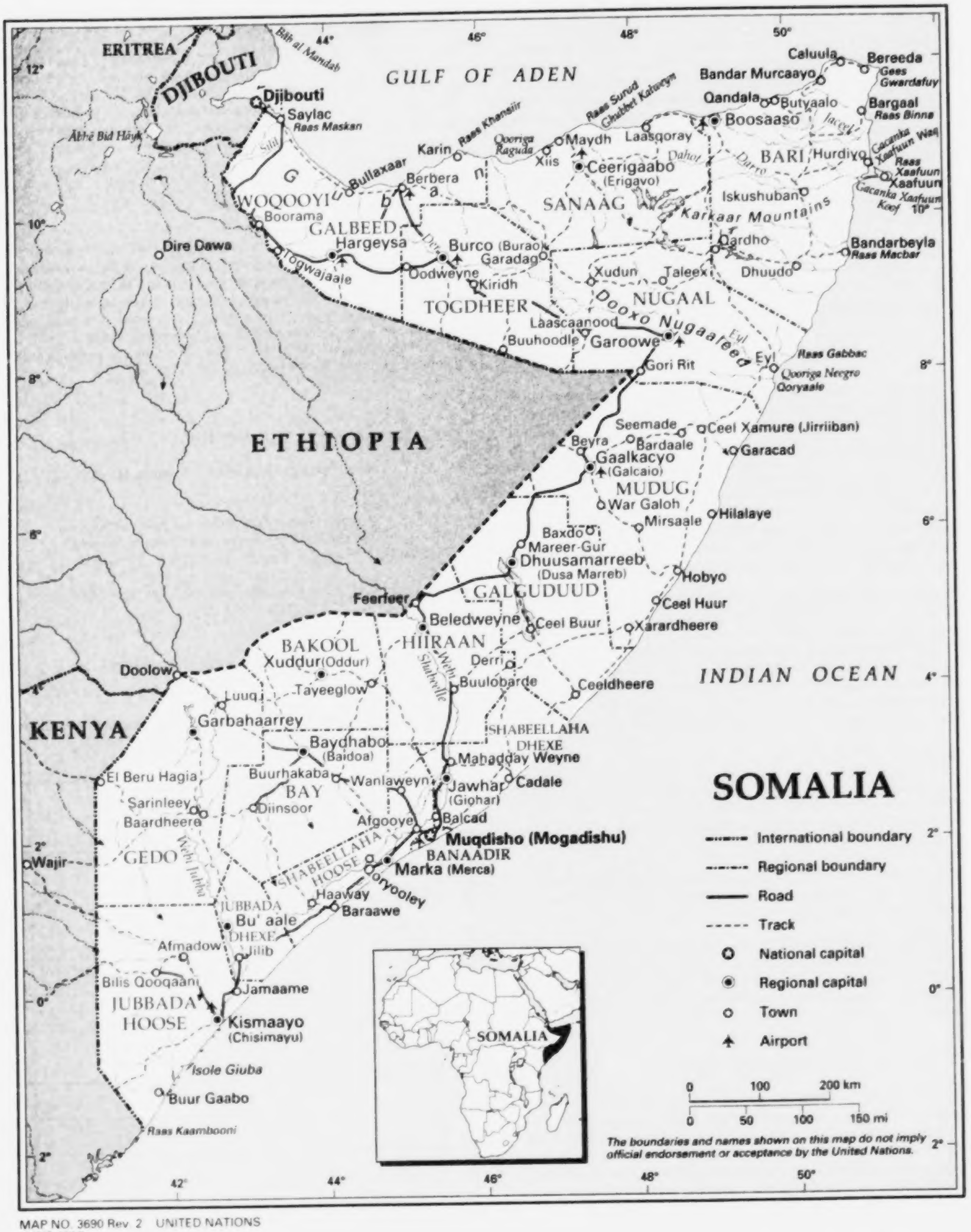
Summary of financial implications for one year of operation
(May 1993-April 1994)

(Thousands of United States dollars)

	Main expenditure group	*Police*	*Judicial*	*Prison*	*Total*
1.	Personnel costs (compensation to Somali personnel)	16 848	1 644	1 0451	9 537
2.	Renovation of premises	350	355	400	1 105
3.	Supplies, services and equipment	735	850	40	1 625
4.	Uniforms	1 500	-	200	1 700
5.	Vehicle operation	13 052	579	388	14 019
6.	Communications equipment	440	-	-	440
7.	Weapons	3 000	-	96	3 096
8.	Training	3 540	68	-	3 608
	Projected (gross) requirements	39 465	3 496	2 169	45 130

ANNEX II

Map of Somalia


SOMALIA
GULF OF ADEN
INDIAN OCEAN
ETHIOPIA
KENYA
ERITREA
DJIBOUTI
Djibouti
Saylac
Raas Maskan
Bab al Mandab
Abhe Bid Hayk
Dire Dawa
Caluula
Bereeda
Gees Gwardafuy
Bandar Murcaayo
Qandala
Butyaalo
Bargaal
Raas Binna
Boosaaso
Laasqoray
Maydh
Xiis
Raas Surud
Ghubbet Kalwayn
Raas Khansiir
Qooriga Raguda
Karin
Berbera
Bullaxaar
Ceerigaabo
(Erigavo)
SANAAG
BARI
Hurdiyo
Raas Xaafuun
Xaafuun
Iskushuban
Karkaar Mountains
WOQOOYI GALBEED
Boorama
Hargeysa
Tog Wajaale
Burco (Burao)
Garadag
Oodweyne
Kiridh
TOGDHEER
Qardho
Bandarbeyla
Raas Macbar
Xudun
Taleex
Dhuudo
NUGAAL
Dooxo Nugaaleed
Laascaanood
Buuhoodle
Garoowe
Eyl
Raas Gabbac
Gori Rit
Qooriga Negro
Qoryaale
Seemade
Ceel Xamure (Jirriiban)
Beyra
Bardaale
Garacad
Gaalkacyo
(Galcaio)
MUDUG
War Galoh
Mirsaale
Hilalaye
Baxdo
Mareer-Gur
Dhuusamarreeb
(Dusa Marreb)
Hobyo
GALGUDUUD
Ceel Huur
Feerfeer
Beledweyne
Ceel Buur
Xarardheere
BAKOOL
Xuddur (Oddur)
HIIRAAN
Webi Shabeelle
Derri
Doolow
Luuq
Tayeeglow
Buulobarde
Ceeldheere
Garbahaarrey
SHABEELLAHA DHEXE
Baydhabo
(Baidoa)
Mahadday Weyne
El Beru Hagia
Buurhakaba
Wanlaweyn
Jawhar
(Giohar)
Cadale
BAY
Sarinleey
Diinsoor
Baardheere
Balcad
Afgooye
Muqdisho (Mogadishu)
BANAADIR
Wajir
GEDO
Webi Jubba
SHABEELLAHA HOOSE
Marka (Merca)
Qoryooley
Haaway
Baraawe
JUBBADA DHEXE
Bu' aale
Afmadow
Jilib
Bilis Qooqaani
Jamaame
JUBBADA HOOSE
Kismaayo
(Chisimayu)
Isole Giuba
Buur Gaabo
Raas Kaambooni
12°
10°
8°
6°
4°
2°
0°
2°
42°
44°
46°
48°
50°
International boundary
Regional boundary
Road
Track
National capital
Regional capital
Town
Airport
0
100
200 km
0
50
100
150 mi
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.

MAP NO. 3690 Rev. 2 UNITED NATIONS
JUNE 1993

DOCUMENT S/26318

Letter dated 17 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*17 August 1993*]

I have the honour to transmit to you herewith a letter from the Acting President of the Azerbaijani Republic and Chairman of the Supreme Council of the Azerbaijani Republic, Mr. Heydar Alievich Aliev, containing a request to convene the Security Council immediately in connection with the continuing aggression by Armenia against Azerbaijan and the failure by the Armenian side to comply with Council resolutions 822 (1993) and 853 (1993).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

LETTER FROM THE ACTING PRESIDENT OF AZERBAIJAN TO THE PRESIDENT OF THE SECURITY COUNCIL

Sufficient time has already elapsed since the Security Council adopted resolutions 822 (1993) and 853 (1993). Nevertheless, there are still no indications that the Republic of Armenia and the self-styled leaders of the Armenians of Nagorny Karabakh intend to carry out the decisions taken by such a highly respected international organization.

It is completely obvious that not only the occupied, burned and pillaged Kelbadjar and Agdam districts but also other Azerbaijani territories have not been liberated. The aggressor is brazenly ignoring Security Council decisions and all norms of international law, continuing to seize and burn peaceful Azerbaijani villages in the Fizuli district, conducting a massed offensive against the town of Fizuli, expanding offensives deep into our territory - towards Djebrail and Kubatli, and attempting to take the town of Barda and other inhabited areas.

The reality of this naked aggression is so obvious that it is unnecessary to cite any additional facts. I am sure that you are acquainted with them from the reports by the United Nations representative in Baku, Mr. Mahmud Al-Said, who recently visited Fizuli.

In accordance with what has been stated above, I request you to convene the Security Council immediately and take, finally, effective and urgent measures to halt the aggressor, stop the bloodshed and protect hundreds of thousands of defenceless peaceful inhabitants of the Azerbaijani Republic.

(*Signed*) Heydar ALIEV
Acting President of the
Azerbaijani Republic

DOCUMENT S/26319

Letter dated 17 August 1993 from the representative of Turkey to the President of the Security Council

[*Original: English*]
[*17 August 1993*]

I have the honour to refer to my letter dated 27 July 1993 [*S/26168*] through which I requested on behalf of my Government that the Security Council urgently consider the situation between the Republic of Armenia and the Azerbaijani Republic, in light of the aggression committed by the Armenian armed forces against Azerbaijan. The Council thereafter adopted resolution 853 (1993) on 29 July 1993, which demands the immediate cessation of all hostilities and the immediate, complete and unconditional withdrawal of the occupying forces from Azerbaijan.

Regrettably, instead of complying with the provisions of that resolution, the Republic of Armenia has further aggravated the situation by continuing its aggression and occupying more Azerbaijani territories, namely, in the Fizuli, Djebrail and Agdam districts, causing new destruction and human tragedies.

Turkey will not accept the acquisition of territory through the use of force. This constitutes a serious blow to the stability of a region neighbouring Turkey as well as to the international peace and security.

In light of the continued blatant violations by Armenia of international law and the Charter of the United Nations, together with Security Council resolutions 822 (1993) and 853 (1993), I request, on behalf of my Government, the Council to urgently convene in order to take effective enforcement measures to stop the Armenian aggression against the Azerbaijani Republic and to secure the immediate, complete and unconditional withdrawal of Armenian forces from all occupied Azerbaijani territories.

I would appreciate it if this letter is circulated as a document of the Security Council.

(*Signed*) Inal BATU
Permanent Representative
of Turkey
to the United Nations

DOCUMENT S/26320

Letter dated 16 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*17 August 1993*]

I have the honour to transmit herewith the text of a statement of 17 August 1993 issued by the Ministry of Foreign Affairs of the Azerbaijani Republic.

I should be grateful if you would have this letter and above-mentioned statement circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

On 11 August this year, a certain K. Baburian, referring to himself as the acting chairman of the Supreme Council of the so-called "Nagorny Karabakh Republic", addressed a letter to the Secretary-General of the United Nations, Boutros Boutros-Ghali, in which he said that Azerbaijan had violated the bilateral cease-fire and embarked on a large-scale offensive along ... the entire front [*S/26293*]. This letter was circulated by the Permanent Mission of the Republic of Armenia.

The Ministry of Foreign Affairs of the Azerbaijani Republic considers it necessary again to lodge a strong protest against the unacceptable practice on the part of the Republic of Armenia of distributing statements from the non-existent "Nagorny Karabakh Republic" through its overseas representatives. In light of this, the Ministry of Foreign Affairs of Azerbaijan is urging the Secretary-General of the United Nations, Boutros Boutros-Ghali, to adopt measures to stop the Permanent Mission of the Republic of Armenia from engaging in such activity, which taints the authority of the Organization and is unscrupulously aimed at misinforming the international community about the Armenian aggression against Azerbaijan.

Since this is yet another attempt by Armenia to distort the true situation in the area, the Ministry of Foreign Affairs of the Azerbaijani Republic considers it imperative to point out the following.

It is not the first time that the leadership in Armenia and the leaders of the Armenian separatists in Nagorny Karabakh are appealing to world public opinion in an attempt to conduct a preventive "propaganda strike" so as to conceal an Armenian attack actually being prepared, which is subsequently "justified" by false arguments about the need to neutralize "enemy firing points" and "to repulse Azerbaijani attacks", and so on.

There is nothing new about this simplistic approach, but unfortunately it is still not being properly interpreted by the United Nations. Yet again, the self-appointed leaders of the Armenians of Nagorny Karabakh, having prepared a propaganda cover in advance, on 11 August, then used it for an actual massive attack, beginning in the period from 13 to 15 August in the Agdam, Fizuli and Djebrail districts of Azerbaijan and resulting in the occupation of 21 settlements and the displacement of tens of thousands of Azerbaijani civilians.

The mechanisms and tactics used by the Republic of Armenia were also tested some time ago in other conflicts. In fact, this is a case of one State using a minion, in the form of its own people who are residents of another neighbouring State, to realize its territorial claims on that neighbouring State.

Armenia initiated its hostile actions against Azerbaijan, directed at undermining the State structure and partitioning its territory, in 1988 by implanting nationalistic elements in Azerbaijani territory and inciting anti-Azerbaijani and anti-government attitudes among Azerbaijani citizens of Armenian origin, by organizing the activities of the anti-Azerbaijani committee "Karabakh", whose leader is the current President of Armenia, Levon Ter-Petrossian, by establishing and sponsoring a separatist movement among the Armenian population in the highland part of the Karabakh area of Azerbaijan, by provoking ethnic conflicts between the Armenian and Azerbaijani populations of the area, by forming and supplying terrorist groups within the Azerbaijani Republic and by launching a campaign of mass terror and deportation of the Azerbaijani population from Armenia and from Nagorny Karabakh.

Moreover, in these circumstances, Armenia saw fit to adopt on 1 December 1989 a series of unilateral actions involving the annexation of Nagorny Karabakh to Armenia, the incorporation of Nagorny Karabakh into Armenia's budget and the election of deputies from Nagorny Karabakh to Armenia's Parliament.

After Lachin was seized by Armenian units, the illegal deliveries of arms and logistical supplies to the Azerbaijani Republic from Armenia became large-scale and systematic. Having established a powerful military base, the Armenian aggressor began to implement its long since devised plans of territorial expansion deep into Azerbaijan. At present, more than 17 per cent of Azerbaijani territory has been seized, approximately one million Azerbaijanis have been made homeless and thousands have been killed and wounded.

Today, while denying responsibility for the aggression against Azerbaijan, Armenia is thrusting a new player onto centre stage - the so-called "Nagorny Karabakh Republic" - and, acting from a position of force, is demanding that Azerbaijan conduct direct negotiations with it, thereby attempting to legitimize its territorial conquests. Viewing the Republic of Armenia as the principal party in this conflict, Azerbaijan strongly objects to such actions and calls on the international community to put an end to this tragedy, which is leading the people of the area to the brink of disaster.

DOCUMENT S/26321

Letter dated 17 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*17 August 1993*]

I have the honour to inform you that Armenian troops are, still with impunity, continuing their large-scale offensive all along the front in the territory of Azerbaijan. A particularly critical situation has arisen in the area around Fizuli and Djebrail.

The town of Fizuli has in fact been surrounded and there has been fierce fighting for several days on the approaches to it. During the night of 16 August, Armenia's armed forces seized all the high ground around the district centre of Fizuli as well as the villages of Yukhary Yaglevend and Garakudly.

In the past 24 hours, the Armenian army seized two more populated areas in the Djebrail district of Azerbaijan: the villages of Doshulu and Efendilyag. The town of Djebrail, which Armenian armed forces are attempting to break through to from two directions with the active participation of armoured tank units, has come under a direct threat.

In both districts, there are numerous casualties among the peaceful population, who have abandoned their homes and massed on the border with the Islamic Republic of Iran.

At the present time, there is a real danger that the Fizuli and Djebrail districts will be occupied, as a result of which two more districts of Azerbaijan - the Kubatli and Zangelan districts, with a population of approximately 200,000 persons - will be surrounded.

On the morning of 16 August, Armenia's armed forces, with the support of armoured vehicles, also stepped up their advance to the north of Agdam and are moving towards the town of Barda. By 1000 hours fierce fighting was taking place near the village of Djavashirli in the Agdam district.

On the night of 16 August, practically all the populated areas of Azerbaijan situated near the border were subjected to rocket and artillery bombardment from Armenian territory.

In connection with what has been stated above, I urgently request you to convene the Security Council speedily in order to condemn the aggressor and to take all necessary measures to halt the bloodshed.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan to the United Nations

DOCUMENT S/26322

Letter dated 18 August 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*18 August 1993*]

Upon the instruction of my Government, I would like to request an urgent meeting of the Security Council to assess the most recent evidence of Azerbaijani aggression against Armenia and to condemn Azerbaijan's continuing policy of expanding its war against Nagorny Karabakh to the borders of Armenia.

During the past 24 hours alone Azerbaijani artillery units have shelled the village of Karmiraghbiur in the Tauz region of Armenia with heavy artillery (17 August, 1800-1930 hours); attacks were also directed towards defence positions in the Yeraskhavan area (18 August, 0130-0300 hours).

This morning, at 0706 hours local time, three SU-25 fighter jets of the Azerbaijani air force, in total violation of Armenian airspace, dropped at least 10 demolition and cluster bombs over the southern city of Kapan. The bombs hit the centre of town, killing seven civilians and wounding 34 and causing extensive damage to buildings and structures in the city.

The Government of Armenia requests that the Security Council and the international community manifest the appropriate reaction to these latest violations of international law and Council resolutions 822 (1993) and 853 (1993) by condemning unequivocally the authorities of Azerbaijan.

Azerbaijan remains responsible for the expansion of the conflict and the escalation of violence in the area. The Government of Armenia is appalled by repeated strikes against centres of civilian population in Armenia by the Azerbaijani air force. Armenia has consistently requested that Security Council resolutions dealing with the Nagorny Karabakh conflict include specific condemnations of Azerbaijani air attacks. The incomprehensible refusal of the Security Council to do so when the Azerbaijani air force bombed Vardenis and Kapan last month can at best be construed as a sign of indifference and at worst an act of encouragement. A clear condemnation by the Council could help to redress this imbalance.

The substance of the informal consultations held on 17 August 1993 by the Council has raised further doubts regarding the ability of the Council to act objectively. The Government of Armenia is appalled by the willingness of the Security Council to act upon a one-sided, biased report from Baku. I am authorized to state that, as an open and democratic State, Armenia is ready to accept United Nations observers who would be free to determine for themselves the situation on Armenia's borders, the damage caused by Azerbaijani shelling and bombings and the situation of refugees from Azerbaijan in a Republic under four years of blockade from Azerbaijan.

We are surprised that the Council is willing to consider the question of enclaves so lightly when it was unwilling to condemn the Azerbaijani occupation last year of Artsvashen, an Armenian enclave situated within Azerbaijan.

Considering the checkered history of this conflict, it would be highly inappropriate for the United Nations to formulate questions or reach conclusions on the basis of information clearly intended for propaganda purposes.

The Government of Armenia expects the United Nations to ensure that Azerbaijan complies with Security Council bans by taking a clear position on Azerbaijani military operations and especially the bombings of civilians.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia to the United Nations

DOCUMENT S/26323

Letter dated 16 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*18 August 1993*]

I have the honour to inform you that the Armenian aggression in the Fizuli and Djabrail districts of Azerbaijan has caused condemnation by the other countries.

In particular, the Foreign Ministry of the Islamic Republic of Iran issued a statement strongly warning Armenia to stop aggression against Azerbaijan and escalation of Armenia's military operations in the Fizuli district of Azerbaijan.

The statement urged Armenia to stop the aggression and withdraw its troops from all the occupied lands unconditionally. It added that the Islamic Republic of Iran cannot remain indifferent towards repetition of these aggressions near its borders. Under the present sensitive circumstances, it also drew the attention of the international community and particularly of the Islamic States to the crisis centre in the region, which has been created against an independent and Muslim State.

In view of the condemnation of the aggression by the international community and world public opinion, the statement said, "we call upon the Armenian side to take immediate, positive and explicit action towards ending the aggression in response to the call by the international community".

The statement stresses that the only solution to these prolonged and tragic events is the use of peaceful means between the warring sides and that the Islamic Republic of Iran will support any good-will efforts of the regional countries and the international community to put an end to the bloodshed.

I would be grateful if you could have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan to the United Nations

DOCUMENT S/26324

Letter dated 17 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*18 August 1993*]

I have the honour to transmit herewith the text of a statement of 17 August 1993 issued by the Ministry of Foreign Affairs of Turkey.

I should be grateful if you would have this letter and the above-mentioned statement circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan to the United Nations

TEXT OF THE STATEMENT

Turkey has been following with deep concern the continuing Armenian aggression against Azerbaijan and the occupation of Azerbaijani territories in defiance of Security Council resolutions and the Conference on Security and Cooperation in Europe peace process.

The Armenian aggression is focused this time on the Azerbaijani districts of Fizuli and Djebrail and the territories around the formerly occupied city of Agdam. The Armenians have been totally destroying the areas of settlement which they occupy in order to prevent the return of the displaced Azerbaijani population to their homes.

These continuous attacks are not only in defiance of all the principles of international law, United Nations resolutions and peace efforts, but they will also bring the Armenians into confrontation with the international community. It is obvious that short-term territorial gains are not compatible with long-term strategic interests. If there is a desire for peace, stability and cooperation in the region, the use of force should definitely be avoided.

As it is well known, the Security Council has adopted two resolutions in the last four months condemning the Armenian aggression and occupation and demanding the immediate, complete and unconditional withdrawal of Armenian forces from all occupied Azerbaijani territories.

Turkey is supporting the Azerbaijani Government on this matter and feels obliged to remind the aggressor of its great responsibility. In this context, Turkey and Azerbaijan have been taking the necessary *démarches* for the urgent convening of the Security Council to take effective enforcement measures to stop the Armenian aggression and to secure the immediate, complete and unconditional withdrawal of Armenian forces from all occupied Azerbaijani territories.

DOCUMENT S/26325

Letter dated 17 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*18 August 1993*]

I consider it my duty to inform you of the aggression committed by the Republic of Armenia against the territories of the Kazakh, Tauz and Zangelan districts of Azerbaijan. The fact that these districts are situated at a very considerable distance from the Nagorny Karabakh region of the Azerbaijani Republic and on the immediate frontier with the Republic of Armenia is itself evidence that the aggression is being committed by the Republic of Armenia and not by anyone else.

As is apparent from the military report of the past few days coming from Azerbaijan, the main targets of the most recent attack by the armed forces of the Republic of Armenia were districts of the Azerbaijani Republic located far from the borders of the Nagorny Karabakh region of the Azerbaijani Republic.

Zangelan district, Azerbaijan. More particularly, the Armenian troops are continuing their persistent attacks on settlements in the Zangelan district of Azerbaijan, which is on the frontier with the Republic of Armenia and has no common border with the Nagorny Karabakh region of Azerbaijan now occupied by Armenian armed forces. To date, seven villages in the Zangelan district of Azerbaijan have been captured by the army of the Republic of Armenia (the villages of Seidlyar, Kungyshlak, Agkend, Pirveis, Dereli, Djanbar and Yukhary Keyali). The following frontier villages of the Zangelan district together with the district centre, the town of Zangelan, are under continual fire from the territory of the Republic of Armenia: Akbiz, Ashagi-Emezli, Orta Emizli, Yukhary Emizli, Karababa, Kuyuderekheshteb, Otuzinji, Sheiflyu, Shaiyfly, Yusiflar, Karagel, Kechikly, Shotarız, Beshadly, Malatneshin, Kologyshlak, Sobu, Meshadi Ismailly, Razdere, Veshnali.

Testimony of Mr. Al-Said, United Nations Representative in Azerbaijan, and the Acting Head of the mission of the United Nations High Commissioner for Refugees in Baku. During its recent visit to the Zangelan district, the mission came under fire from Armenian positions in the Azerbaijani territories in this district which have been captured by the Armenian Republic. In his report to United Nations Headquarters, New York, Mr. Al-Said writes as follows: "In Zangelan, which is located in the south-west of Azerbaijan, only a few kilometres from the Armenian border, the mission encountered evidence of shelling of civilian targets. While visiting the village of Kologyshlak in the Zangelan area, the mission came under fire, apparently from Armenian-held positions on Azeri territory".

Tauz district, Azerbaijan. The Republic of Armenia is conducting aggressive combat operations in the Tauz district of Azerbaijan, which, like the Zangelan district, has no common border with the Nagorny Karabakh region of the Azerbaijani Republic, occupied by Armenia. The villages of Gajally, Myulkyulyu, Alibeili, Agdam, Chokhnabi, Asrikjirdakhan, Aghulak, Kiran, Mudjuglu and Kosha, and also the district centre, the town of Tauz, are under constant fire.

Testimony of the United Nations mission headed by Mr. Al-Said. Having visited this district, the mission was able to see for itself the widespread destruction of civilian buildings in the town of Tauz and the surrounding villages: "In Tauz, some 20 kilometres from the Armenian border, in the north-western part of Azerbaijan, the mission was shown destroyed houses and public buildings in the centre of the town and in nearby villages".

Kazakh district, Azerbaijan. The district of Azerbaijan most severely affected by the Armenian aggression is the Kazakh district, which does not adjoin the Nagorny Karabakh region of the Azerbaijani Republic, occupied by the army of the Republic of Armenia. In the Kazakh district of Azerbaijan, the Republic of Armenia has captured six villages (Baganis Airym, Barkhudarly, Yukhary Askipara, Ashagi Askipara, Sofulu and Kheirimli). The settlements in this district are systematically subjected to air attacks, artillery shelling and tank fire. The villages of Kemerly, Farakhly, Kushchu Airym, Mazanly, Abbas Beili, Allout, Kyzylgajyly, Djafarli and Bala Djafarli in the Kazakh district of Azerbaijan are fired on by the Republic of Armenia practically every day.

Testimony of the leader of the United Nations mission. He describes in the following terms what he saw in this district, to which he came after his visit to Tauz: "The last visit of the mission was to the nearby Kazakh district which is located closer to Armenia. The mission noted that the border lines in this area were very confusing. The mission was informed that some Azeri enclaves in Armenia had been occupied since April 1992. In July 1993, a number of villages on the Azeri side of the frontier were occupied by Armenian troops. While visiting the Kazakh district, the mission saw widespread destruction apparently by Grad missiles, tanks and 122 mm artillery".

In the light of the foregoing, I urge you to reflect in a resolution of the Security Council the above facts concerning the aggression by the Republic of Armenia against the Azerbaijani Republic, to require the leaders of the Republic of Armenia to withdraw their armed forces from the captured and occupied lands of the Azerbaijani Republic, and to take with respect to the aggressor, the Republic of Armenia, the necessary measures provided for in Article 41 of the Charter of the United Nations during the period of the complete and unconditional withdrawal of all the occupying forces from the captured territory of the Azerbaijani Republic.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26327

Letter dated 18 August 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*18 August 1993*]

I have the honour to transmit to you the statement of 18 August 1993 of the Ministry of Foreign Affairs of the Republic of Armenia regarding the bombing of the city of Kapan in the Republic of Armenia by Azerbaijan.

I should be grateful if you would circulate the text of this statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

Today, 18 August 1993, at 0706 local time, three Azerbaijani combat aircraft violated the airspace of the Republic of Armenia and dropped 10 demolition and cluster bombs on the central section of the southern Armenian city of Kapan. The bombardment caused the death of seven civilians and the wounding of 34 others, five of them seriously. There is considerable damage to buildings and structures.

The repeated Azerbaijani bombardments of Armenia's towns and villages and other provocations on border areas testify once more to the continuing attempts by Azerbaijani authorities to draw Armenia into the war and the power struggle in Azerbaijan, all of which can only exacerbate the Nagorny Karabakh crisis.

The Ministry of Foreign Affairs of Armenia is led to believe that these new attacks may also be aimed at causing the failure of the Conference on Security and Cooperation in Europe peace process.

Reaffirming once more Armenia's commitment to the peaceful resolution of the Nagorny Karabakh conflict, the Ministry of Foreign Affairs is compelled to state that full responsibility for the consequences of Azerbaijani aggression rests with the authorities of Azerbaijan.

Given the repeated nature of the offence and the gravity of the situation, the Government of Armenia today requested an urgent meeting of the Security Council to consider this matter and to condemn Azerbaijan for its aggression.

DOCUMENT S/26328

Letter dated 18 August 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*18 August 1993*]

I have the honour to transmit to you a letter addressed to you by Mr. Karen Baburian, the President of the Parliament of Nagorny Karabakh.

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE LETTER

In view of the recent intensification of the attacks of the Azerbaijani armed forces on the defence positions of the Republic of Nagorny Karabakh, the aerial bombings of the civilian population, the continuing Azerbaijani violations of United Nations resolutions and of the cease-fire agreements between Nagorny Karabakh and Azerbaijan, the Parliament of the Republic of Nagorny Karabakh requests an urgent meeting of the Security Council to condemn these Azerbaijani operations.

The Republic of Nagorny Karabakh views with skepticism the informal consultations held by the Security Council on 17 August 1993 to discuss military operations and the situation in different Azerbaijani cities. It is surprising that the Security Council could convene such consultations based only on the selective visits of the United Nations representative in Azerbaijan, on the distorted information of the Azerbaijani side and in the general absence of information that might contradict the tenor of the report.

In letters addressed to the United Nations on 23 July and 4 August 1993, the Republic of Nagorny Karabakh appealed to the Security Council to dispatch representatives to the region and to engage actively in the establishment of a cease-fire and the acceleration of the peace process. Our letters have been left unanswered. Simultaneously, the Security Council has refused to condemn Azerbaijani military operations, the deportations of the civilian population of Nagorny Karabakh, and the shelling of the civilian population by heavy weapons, including bombardment by war planes. By refusing to condemn such Azerbaijani policy, the Security Council, in fact, has condoned the continuing Azerbaijani military operations which have recently intensified because of Azerbaijani domestic political instability and the struggle for power.

The military operations undertaken by the self-defence forces of the Republic of Nagorny Karabakh serve self-defence purposes exclusively, something which the United Nations and other international organizations have failed to provide to our people.

With regard to the events of the last week, we confirm, on behalf of the Republic of Nagorny Karabakh, that the military operations are concentrated on two hills situated on the border of Nagorny Karabakh in the Fizuli area that constitute the defence line of our borders recently subjected to Azerbaijani attacks and now successfully defended by our forces.

The Government of the Azerbaijani Republic is fully responsible for the consequences of the military operations it undertakes.

The Government of the Republic of Nagorny Karabakh hopes that at this time the Security Council will be impartial in its assessment of the situation and will condemn Azerbaijan for its actions. The Republic of Nagorny Karabakh is prepared to receive the representatives of the United Nations to examine the situation on the ground and to provide them with all the necessary information.

DOCUMENT S/26329

Letter dated 16 August 1993 from the representative of Yugoslavia to the Secretary-General

[*Original: English*]
[*19 August 1993*]

I have the honour to transmit herewith a letter dated 16 August 1993 from Mr. Radoje Kontic, Prime Minister of the Federal Republic of Yugoslavia, addressed to you. I should be grateful if this letter were circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'Affaires a.i.
of the Permanent Mission of Yugoslavia
to the United Nations

TEXT OF THE LETTER

It has by now become clear, even to the broad international public, that the imposition of sanctions on our country by the Security Council resulted from the erroneous assessment that the Federal Republic of Yugoslavia was an aggressor in the civil war in Bosnia and Herzegovina.

Developments have proven the absurdity of such claims and have disproved the very basis upon which these decisions were taken. What the Federal Republic of Yugoslavia has been asserting from the very beginning, namely that a civil, religious and interethnic war is being waged in Bosnia-Herzegovina, has been proven true. This has also been confirmed in subsequent statements by numerous world leaders and important political figures including United States President Clinton, the successive Co-Chairmen of the International Conference on the Former Yugoslavia, Lord Owen, Mr. Stoltenberg, Mr. Vance, Lord Carrington, French President Mitterrand, Russian leaders and others.

The fact that a civil, interethnic and religious war is being waged in Bosnia-Herzegovina is precisely the reason that the three warring sides have been invited to negotiate an end to the civil war within the framework of the Geneva Conference. It is hoped that as directly involved factions, on a footing of equality, they might achieve not only a termination of the conflict, but also an agreement of the three constituent peoples on the future of Bosnia and Herzegovina.

From the outbreak of the conflict, notwithstanding unfounded accusations in connection with the situation in Bosnia and Herzegovina, the Federal Republic of Yugoslavia has constantly contributed to the efforts to end the war. Regrettably, the Federal Republic of Yugoslavia has not been able to stop it, nor, for that matter, has the international community or the Security Council been able to do so thus far.

At the same time, we should like to recall that Yugoslavia's positive and constructive contribution has been recognized and acknowledged, not only by the Co-Chairmen of the International Conference on the Former Yugoslavia, but also by the international community. It goes without saying that the Federal Republic of Yugoslavia is vitally interested in the earliest possible achievement of peace and a just solution based on agreement between the three constituent peoples in Bosnia and Herzegovina and that it is exerting every effort to that end.

Proceeding from the facts that the sanctions are unjustified and one-sided, and that we have met all the requirements imposed upon us, the Federal Republic of Yugoslavia has submitted requests to the Security Council for their lifting on a number of occasions. I addressed the latest such official request on 6 August 1993 to the President of the Council, Ms. M. K. Albright.

Despite the official requests addressed to the Security Council, the Federal Republic of Yugoslavia has still not received any reply, nor has any action been taken towards lifting the sanctions. In the meantime, outside the context of the adopted resolutions and contrary to the rules of procedure of the Security Council and the Charter of the United Nations, some political factions are increasingly trying to impose additional requirements that the Federal Republic of Yugoslavia is to comply with, in order for the sanctions to be lifted. A request of this kind was formulated in the "Plan of joint action", a document adopted on 22 May this year, at the meeting of the Five in Washington [*see S/25829*]. A similar example is also the statement of the official spokesmen for the United States State Department, Mr. McCurry, of 9 August, who said that the aim of the sanctions was not only for the Serbs to accept a political solution but that there were also "other conditions", "so that it would be hard to imagine that they would be lifted or relaxed in the near future only because of the fact that an agreement in Bosnia has been reached". We wonder, Mr. Secretary-General, what this statement means.

The examples cited above and similar moves are not conducive to a constructive resolution of the problem and their aim is the assumption of the prerogatives vested in the Security Council and application of its resolutions in a one-sided fashion to further the interests of particular countries. Actions of this kind call for your official reaction with a view to preventing such exercises overriding and bypassing the Council.

We should like to ask you, as the most competent person, to identify, in precise terms, what obligations under the Security Council resolutions 752 (1992) and 757 (1992) the Federal Republic of Yugoslavia has not met.

May we particularly draw attention to the absurdity of the continued insistence on the application of the Security Council resolution 820 (1993), given the fact that the Federal Republic of Yugoslavia had complied with its requirements before the set deadline and that its contents have been completely superseded by developments in the Bosnia and Herzegovina crisis. We expect you to impress this upon the Security Council and to propose that the sanctions against the Federal Republic of Yugoslavia imposed on the basis of that resolution be lifted following a fast-track procedure.

As stated in our request to the Security Council, the Federal Republic of Yugoslavia feels that it has complied with all of its obligations under these resolutions and we are convinced that you will come to the same conclusion upon careful analysis of everything we have done. We should therefore like to ask you, in your capacity as Secretary-General, to initiate official proceedings with the Security Council for the lifting of the unwarranted and unjust sanctions imposed on the Federal Republic of Yugoslavia.

DOCUMENT S/26332

Letter dated 17 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*19 August 1993*]

It is with deep concern that I inform you of the alarming details of a massive offensive by the armed forces of Armenia against territories of the Azerbaijani Republic.

17 August, 1200 hours. The situation in the town of Fizuli is extremely critical. The noose is tightening. The town is on the verge of falling. Bitter street battles are being waged. Although the greater part of the peaceful population has been evacuated, there are many civilian casualties.

An equally critical situation has also arisen in the neighbouring Djebrail district. A tank column belonging to the Armenian armed forces has cut off the Fizuli-Djebrail road and has advanced towards the district centre from the east (1.5 kilometres) and also from the west and the north, having captured almost all of the settlements on the approaches to the city. Subunits of Armenian armed forces are incessantly attacking the village of Sirik, which is on the way to Djebrail. A further four settlements in the Djebrail district are under threat of occupation: Chareken, Papy, Khorovlu and Bashtepe. The town of Djebrail is half encircled and is being subjected to constant rocket artillery fire.

17 August, 1400 hours. As before, the situation in the vicinity of the towns of Fizuli and Djebrail remains critical. Fighting continues. As a result of the shelling of Djebrail and the settlements in the district, the number of casualties among the civilian population grows by the hour.

With a view to diverting Azerbaijani army forces, Armenian troops have subjected to constant attack from the direction of Gadrut Azerbaijani positions in the Kubatli district. After capturing two strategic and important heights (Garagaya and Topagach), subunits of Armenian armed forces have occupied the settlement of Basharat and are continually shelling the villages of Milanly and Khat in the north-eastern part of the district.

A concentration of armoured vehicles and personnel of the Armenian army is in Armenian territory (in the Kafan and Goris districts) along the borders with the Gubadly and Zangelan districts of Azerbaijan. It is assumed that, as in the capture of Lachin and Kelbadjar, after breaking through Azerbaijani positions from the direction of the occupied territory of Karabakh, fresh forces from military bases in Armenia will go over to the offensive.

There is no pause in the shelling of the entire border area of north-west Azerbaijan, including the towns of Tauz and Kazakh. During the shelling, five persons have died and 13 have been injured.

17 August, 1800 hours. In the Djebrail district, Armenian troops are attempting to break through to the Iranian border with a view to cutting off the Gubadly and Zangelan districts from Azerbaijan. Battles are being waged at 13 kilometres from the border river of Araz.

Armenian armed forces are barbarically destroying and burning captured villages in the Djebrail district. Having consolidated their positions on the approaches to the town, Armenian troops are subjecting it to intensive tank and artillery shelling. As a result, there are many casualties among the peaceful population.

Since the second half of the day, the district centres of Gubadly and Zangelan have been subjected to shelling from howitzers and Grad rocket launchers in Armenian territory.

The Gubadly district was attacked by the Armenian army on three sides. From the direction of Gadrut, where they have captured two dominating heights and the village of Basharat, Armenian troops are advancing deep into the territory of the district in the direction of the villages of Milanly and Khat. From the north, from the occupied territory of Lachin, the villages of Djijimli and Gazydere have been attacked. Since 1600 hours, Armenian armed forces with the support of armoured vehicles, having violated the Azerbaijani frontier from the direction of the Kafan district in Armenia, have been attempting to advance deep into the Gubadly district of Azerbaijan. Battles are being waged in all three sectors.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26334*

Letter dated 19 August 1993 from the representative of Lithuania to the Secretary-General

[*Original: English*]
[*19 August 1993*]

I have the honour to submit for your information the statement issued by the Ministry of Foreign Affairs of Lithuania on 19 August 1993 concerning the unilateral suspension by the Russian Federation of the withdrawal of its armed forces from the territory of Lithuania.

I should be grateful if you would arrange for the distribution of the present letter as a document of the General Assembly and of the Security Council.

(*Signed*) Algimantas GURECKAS
Chargé d'affaires a.i.
of the Permanent Mission
of Lithuania to the United Nations

TEXT OF THE STATEMENT

The schedule for the withdrawal of the military forces of the Russian Federation from the territory of the Republic of Lithuania, signed on 8 September 1992 by representatives of the Republic of Lithuania and the Russian Federation and deposited with the United Nations, has until now been adhered to. This has strengthened the mutual trust between the two countries and created favourable conditions for the resolution of other matters of mutual concern.

On 19 August 1993, the Ministry of National Defence of Lithuania received a statement from the Defence Ministry of the Russian Federation stating that the withdrawal of the armed forces of the Russian Federation from the territory of the Republic of Lithuania is being suspended.

The Ministry of Foreign Affairs of Lithuania expresses its great concern over this decision by the Russian Federation and states that Lithuania has up to now consistently fulfilled its international obligations with regard to the Russian Federation. Consequently,

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* Circulated under the double symbol A/48/328-S/26334

Lithuania views this unilateral decision by the Russian Federation as an attempt to apply political pressure upon the process of negotiations under way between Lithuania and the Russian Federation with the intent to change Lithuania's position. This position is founded upon the will of the Lithuanian people, expressed in a nationwide referendum held on 14 June 1992, on the question of the withdrawal of Russian forces and compensation for damages.

The Ministry of Foreign Affairs of Lithuania draws attention to the necessity to execute unconditionally all agreed-upon arrangements; by disregarding those agreements the Russian Federation ignores universally recognized principles of international law.

Nevertheless, the Ministry of Foreign Affairs of Lithuania expresses the hope that the Russian Federation will withdraw its remaining armed forces from Lithuania by 31 August 1993, the date indicated in the withdrawal timetable, and by doing so will demonstrate that good-neighbourly relations are being maintained on the basis of international legal norms.

Lithuania is prepared to continue the political dialogue with the Russian Federation concerning all questions of mutual concern.

DOCUMENT S/26335

Letter dated 18 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*20 August 1993*]

I have the honour to inform you that, following the necessary training exercises in coordination with the North Atlantic Treaty Organization, the United Nations now has the initial operational capability for the use of air power in support of the United Nations Protection Force in Bosnia and Herzegovina.

I should be grateful if you would convey this information to the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENTS S/26337 AND ADD.1 AND 2

Letter dated 20 August 1993 from the Secretary-General to the President of the Security Council

DOCUMENT S/26337

[*Original: English*]
[*20 August 1993*]

I have the honour to convey the attached report addressed to me on 20 August 1993 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Report of the Co-Chairmen of the Steering Committee on the Activities of the International Conference on the Former Yugoslavia

INTRODUCTION

1. It will be recalled that the latest round of peace talks to resolve the conflict in Bosnia and Herzegovina started on 27 July 1993. Since then the Co-Chairmen have submitted two reports to the Security Council [*S/26233 and S/26260*]. The present report provides information on developments in the peace talks since the submission of the last report.

I. CONSTITUTIONAL AGREEMENT, ANNEXES AND RELATED INSTRUMENTS

2. Since the submission of the last report, the parties have continued their deliberations to settle the annexes and other instruments related to the constitutional agreement. All of the annexes to the constitutional agreement have been finalized, as well as a preliminary bilateral treaty between the Union of Republics of Bosnia and Herzegovina and the Republic of Croatia on the access of the former to two Adriatic ports.

3. The parties carefully reviewed and confirmed provisions to which they had earlier given their agreement with regard to the organization of the police and human rights, especially the right of refugees and displaced persons to return.

4. All these instruments, which are to be appended to an agreement relating to Bosnia and Herzegovina, will be reproduced in an addendum to the present report.

II. DELIMITATION OF THE CONSTITUENT REPUBLICS

5. In their previous report to the Security Council, the Co-Chairmen noted that the parties were in essential agreement on the core areas to be allocated to each of the three Constituent Republics. They provided detailed information on the main areas that were still to be resolved by the parties in their efforts to draw the boundaries of the three Constituent Republics [*S/26260, paras. 30-37*]). Since then the parties have continued their efforts to reach agreement in bilateral and trilateral meetings, assisted by the good offices of the Co-Chairmen. The results of these negotiations are reflected in the attached map (appendix I).

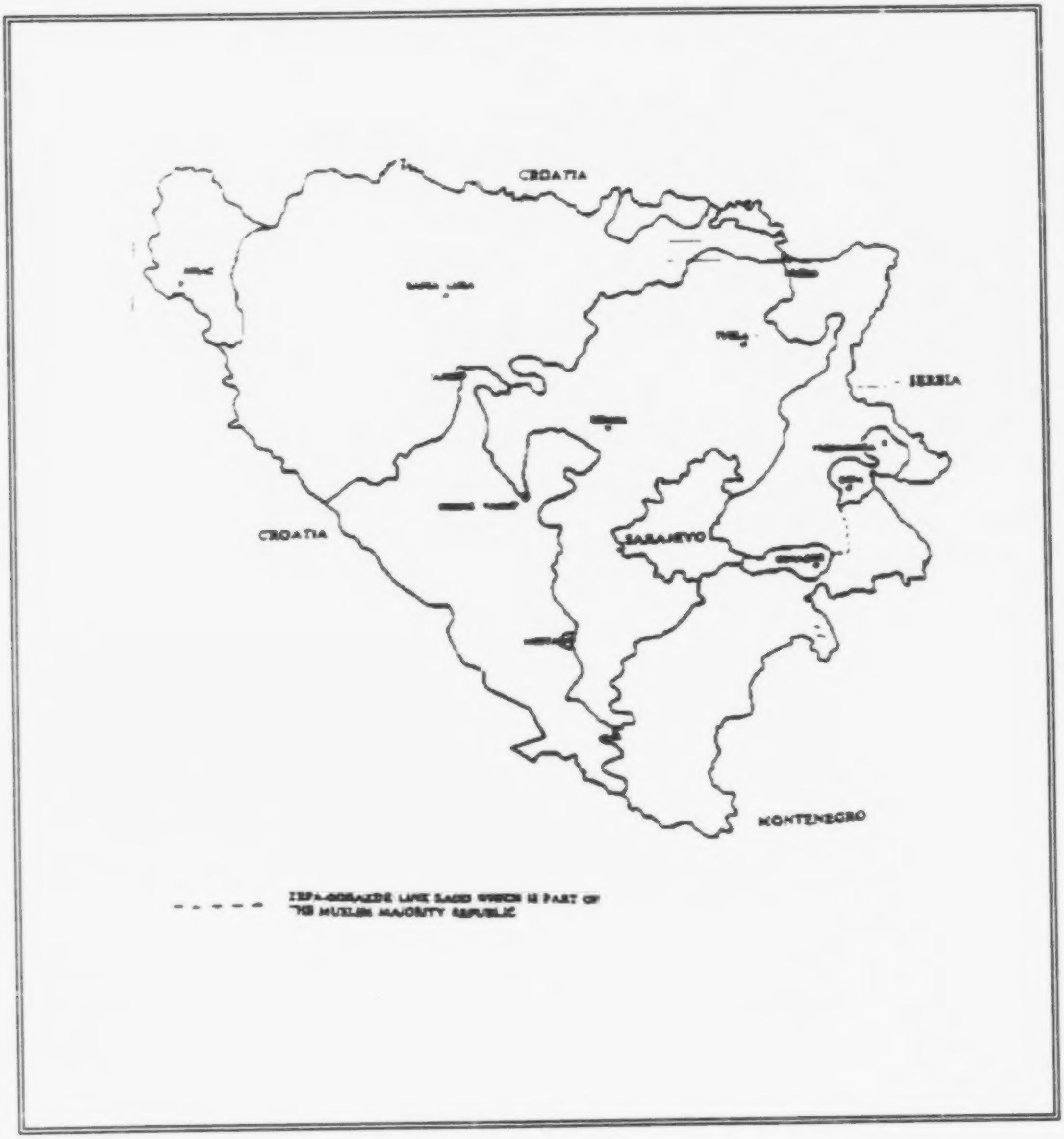
6. As at 20 August, the parties had worked out arrangements to place Sarajevo (see attached map, appendix II) under the administration of the United Nations for a period of up to two years and to place Mostar under the administration of the European Community for a similar period (subject to agreement by the European Community). Detailed arrangements were worked out in respect of demarcations in the town of Brcko (see attached map, appendix III), and there were lengthy discussions regarding the towns of Gornji Vakuf, Donji Vakuf, Bugojno and Travnik. The Serb side agreed to a special road linking Gorazde and Zepa which will be part of the territory of, and administered and policed by, the Muslim majority republic.

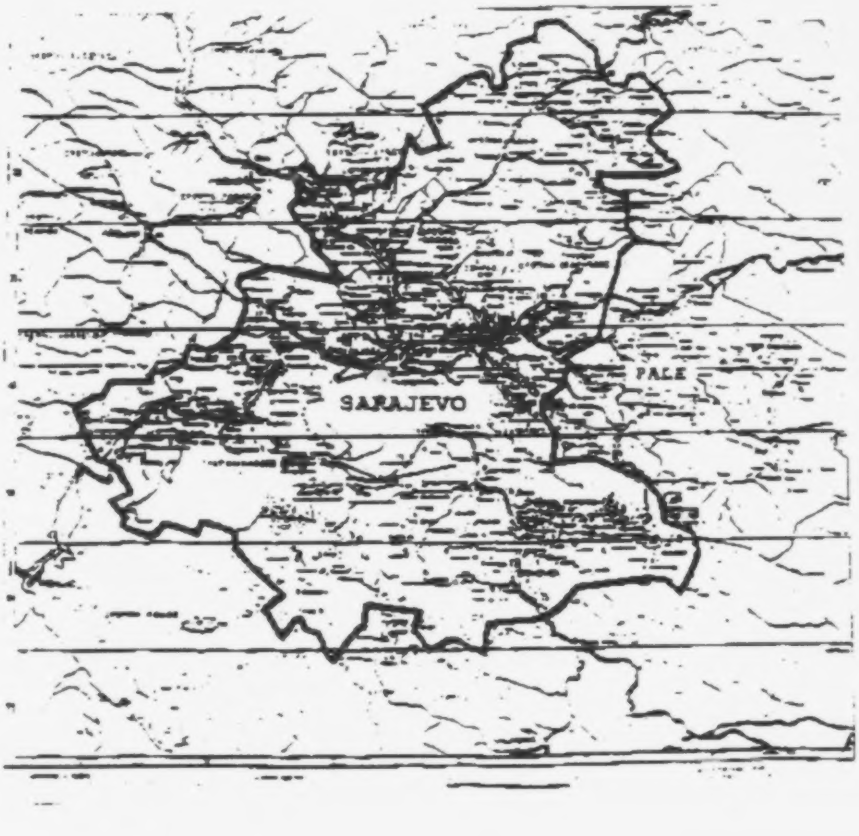
7. In the light of these developments, on 20 August the parties agreed to issue the following statement:

> "The Co-Chairmen today met President Izetbegovic. They then met Mr. Karadzic and Mr. Boban in the presence of Presidents Milosevic, Bulatovic and Tudjman. The Co-Chairmen later met all heads of delegations.
>
> "Based on the constitutional and related documents already worked out, and the discussions over the last two days, the Co-Chairmen have given the three sides a package containing the constitutional papers and a map (attached) reflecting the discussions that have taken place among the parties. They will return home to explain the map and will come back to Geneva for a final meeting on Monday, 30 August 1993."

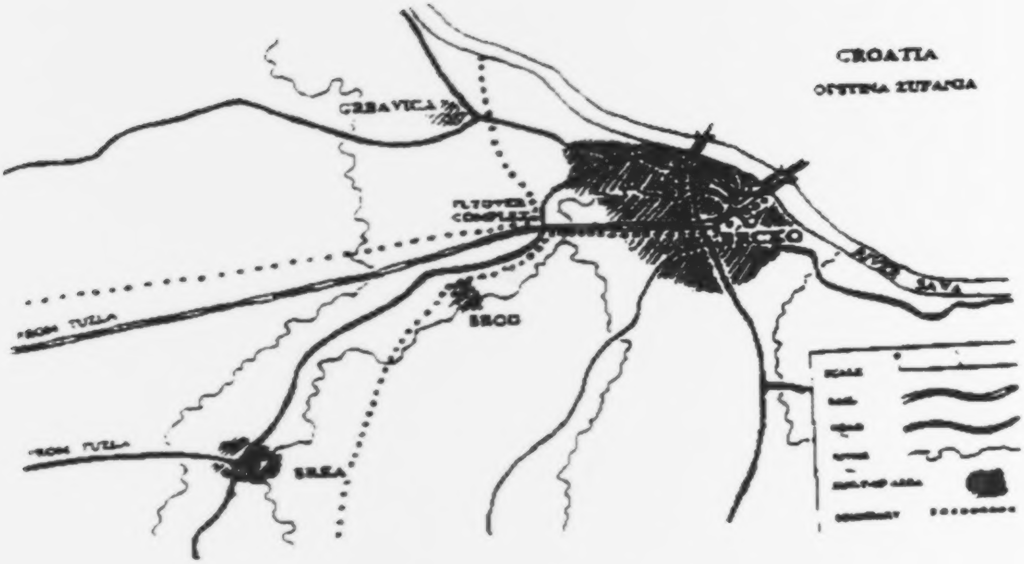
Appendix I

Union of Republics of Bosnia and Herzegovina


CROATIA
SERBIA
CROATIA
SARAJEVO
MONTENEGRO
ZEPA-GORAZDE LINK ROAD WHICH IS PART OF THE MUSLIM MAJORITY REPUBLIC


SARAJEVO
PALE

Appendix III


CROATIA
OPSTINA ZUPANJA
GRBAVICA
FLYOVER COMPLEX
RIVER SAVA
FROM TUZLA
BROD
FROM TUZLA
SCALE

DOCUMENT S/26337/ADD.1

[*Original: English*]
[*23 August 1993*]

Following is a list of the constitutional papers referred to in the statement by the parties on 20 August 1993 [*S/26337, annex, para. 7*], which are reproduced in the present addendum, in the order here indicated (unless otherwise indicated):

Agreement relating to Bosnia and Herzegovina

Appendix I: Constitutional agreement of the Union of Republics of Bosnia and Herzegovina

Annex A:

Part I: The boundaries of the Constituent Republics

Part II: Areas vested in the Union of Republics of Bosnia and Herzegovina

Annex B: Composition and competence of the Human Rights Court

Annex C: Human rights instruments incorporated in the Constitutional Agreement

Annex D: Initial appointment and functions of the Ombudsmen

Appendix II: Agreed arrangements concerning the Constitutional Agreement of the Union of Republics of Bosnia and Herzegovina

Part 1: Names of Republics; access authority

Part 2: A. Sarajevo district; B. Mostar city *opstina*; C. Police forces; D. Protection of human rights and the reversal of ethnic cleansing

Attachment:

A. The outer boundary of Sarajevo district

B. The outer boundary of Mostar city *opstina*

Appendix III: Military agreements

Part 1: 30 July 1993 agreement for a complete cessation of all combat activities among the parties in conflict

Part 2: 11 August 1993 military agreement for peace in Bosnia and Herzegovina

Appendix I: Target timetable for implementation of this agreement

Appendix II: Procedures for the Joint Commission

Part 3: Amendments to the 11 August 1993 military agreement for peace in Bosnia and Herzegovina

Appendix IV: Preliminary agreement between the Republic of Croatia and the Union of Republics of Bosnia and Herzegovina for implementing the 1965 Convention on the Transit Trade of Land-Locked States

Agreement relating to Bosnia and Herzegovina

THE UNDERSIGNED

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities,

Recalling the Statement of Principles by the International Conference on the Former Yugoslavia at its session in London and the Programme of Action on Humanitarian Issues agreed to at that session,

Considering the decisions of the United Nations Security Council relating to the former Yugoslavia,

Reaffirming their commitment to peace and security among the successor States to the former Yugoslavia,

Hereby agree as follows

I. *Constitutional agreement of the Union of Republics of Bosnia and Herzegovina*

(*a*) The constitutional agreement of the Union of Republics of Bosnia and Herzegovina is set out in Appendix I hereto. It shall enter into force one week after the Security Council has taken into account the present Agreement, has confirmed that the Union of Republics of Bosnia and Herzegovina will continue as a member of the United Nations and has authorized United Nations support for the implementation of the present agreement.

(*b*) Agreed arrangements concerning the constitutional agreement are set out in Parts 1 and 2 of Appendix II hereto.

II. *Termination of the conflict*

The parties reaffirm the Agreement for a Complete Cessation of All Combat Activities signed by their military commanders on 30 July 1993 set out in Part 1 of Appendix III hereto, and the Military Agreement for Peace in Bosnia and Herzegovina signed by their military commanders on 11 August 1993 set out in Part 2 of Appendix III, and decide that the latter shall be amended as set out in Part 3 of Appendix III and shall enter into force on the day after the Security Council has authorized United Nations support for the implementation of the present Agreement.

III. *Cooperation in respect of humanitarian efforts*

(*a*) Maximum cooperation shall be extended to the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, the United Nations Protection Force, the European Community Monitoring Mission and other humanitarian organizations working to provide assistance to refugees and displaced persons.

(*b*) Full cooperation shall also be extended to the United Nations High Commissioner for Refugees in drawing up and implementing programmes for the return of refugees and displaced persons to their homes.

IV. *Preliminary Agreement with the Republic of Croatia for implementing the 1965 Convention on the Transit Trade of Land-Locked Countries*

As soon as the constitutional agreement enters into force, the Union of Republics of Bosnia and Herzegovina shall conclude with the Republic of Croatia the Preliminary Agreement for implementing the 1965 Convention on the Transit Trade of Land-Locked Countries set out in Appendix IV hereto.

DONE in Geneva, this ____________ day of August 1993.

A. IZETBEGOVIC R. KARADZIC M. BOBAN

Witnessed by:

T. STOLTENBERG D. OWEN

APPENDIX I

Constitutional agreement of the Union of Republics of Bosnia and Herzegovina

[*For the text, see S/26233, Appendix II, in the present* Supplement.]

Annex A

Part I

THE BOUNDARIES OF THE CONSTITUENT REPUBLICS

1. The boundaries of the Constituent Republics shall be as indicated on the Map below [*S/26337, Add.2*], subject to any changes that may be made in accordance with Article II.1 (*b*) of the constitutional agreement. The Boundary Commission shall ensure that the territory of the Muslim majority Republic shall not be less than 30 per cent of the entire territory of the Union of Republics of Bosnia and Herzegovina.

2. The road marked on the Map that links Gorazde to Zepa shall constitute part of the Muslim majority Republic, which shall be responsible for its upkeep and policing.

3. As much as possible of the town of Gornji Vakuf shall be in the Muslim majority Republic, subject to the Croat majority Republic retaining road access to Prozor from the north of Gornji Vakuf, and to Novi Travnik along the road running north from the village of Ploca towards the road junction to the north of Bistrica. Construction of new roads may be necessary, and the Special Representative of the Secretary-General, after appropriate consultations, shall arbitrate in the case of disputes.

4. Similarly, the Special Representative shall be charged with arbitrating the boundary between the Muslim majority Republic and the Croat majority Republic where it follows a line drawn south of the river Lasva in Travnik, in order that as many Croatian villages as is feasible are included in the Croat majority Republic.

5. At the request of any Constituent Republic, the Presidency may decide that a religious or cultural building located in another Constituent Republic shall be under the special protection and responsibility of the requesting Republic.

Part II

AREAS VESTED IN THE UNION OF REPUBLICS OF BOSNIA AND HERZEGOVINA

1. The area defined by the present *opstina* of Neum, and that part of the present *opstina* of Stolac that lies below the southern border of the Constituent Republic that extends up through Sarajevo to Brcko on the Sava.

2. That part of the railway line from Tuzla that passes across Brcko to the railway bridge on the Sava.

3. Those public buildings in the city of Sarajevo and in the surrounding area that are designated by the Presidency to be used by the Union Parliament, the Council of Ministers, the Supreme, Constitutional and Human Rights Courts, and the administrative institutions of the Union.

Annex B

COMPOSITION AND COMPETENCE OF THE HUMAN RIGHTS COURT

[*For the text see, in the present* Supplement, *S/26260, Appendix I, Annex B.*]

Annex C

HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT

[*Ibid., Annex C.*]

Annex D

INITIAL APPOINTMENT AND FUNCTIONS OF THE OMBUDSMEN

[*Ibid., Annex D.*]

APPENDIX II

Agreed arrangements concerning the constitutional agreement of the Union of Republics of Bosnia and Herzegovina

PART I

1. The name of each Constituent Republic will be determined by the competent authorities of that Republic.

2. Access authority:

(*a*) Pursuant to Article III.5 of the constitutional agreement there shall established, immediately on the entry into force of that Agreement, an Access Authority, charged with assisting in the implementation of Article II.1 (*d*) of the Agreement requiring free movement of persons, goods and services throughout the territory of the Union of Republics of Bosnia and Herzegovina.

(*b*) The purpose of the Authority will be to guarantee full freedom of movement in certain essential areas between and within the Constituent Republics, and also to and from these Republics to the Republic of Croatia and the Republic of Serbia.

(*c*) The members of the Authority shall be three persons appointed by the Presidency, one from each Constituent Republic. Its headquarters shall be in or around the city of Sarajevo.

(*d*) Even though the authority is to be in operation as soon as possible following the entry into force of the constitutional agreement, inevitably there will be an initial period when UNPROFOR will have sole responsibility for freedom of movement along designated "blue routes" around Sarajevo and "Throughways" ensuring freedom of movement along the key roads and railway lines throughout the country. Thereafter there will be a period of overlapping responsibility of UNPROFOR and the Authority, during which UNPROFOR's responsibility for the Authority's designated routes will be phased out, and these responsibilities assumed by the traffic police of the Authority. This transfer of responsibility requires the agreement of all members of the Authority. The traffic police will be seconded to the Authority from the police forces of the Constituent Republics.

(*e*) The following shall be the routes to be controlled by the Access Authority:

- (i) The road and railway line from Metkovic on the border of Croatia to the centre of the city of Sarajevo;
- (ii) The railway from the city of Sarajevo to Doboj and Samac;
- (iii) The so-called "Una" railway from Bosanski Novi through Bihac southwards to the border of Croatia;
- (iv) The road from Nevesinje to Mostar airport;
- (v) The road from Srebrenica to Kladanj;
- (vi) The road from Gorazde through Cajnice to the border of Montenegro;
- (vii) Sarajevo Airport;
- (viii) The so-called "Transit Road" through the south of the city of Sarajevo;
- (ix) The road between Sarajevo and the crossing point north of Trnovo which gives access to Gorazde;
- (x) The road between Bosanski Brod (via Derventa, Doboj, Zenica) and Sarajevo;
- (xi) The road from the border of the Republic of Croatia near Velika Kladusa (via Cazin, Bihac, Kljuc, Jajce, Donji Vakuf) to Mostar;
- (xii) The road between Donji Vakuf (via Travnik) and Zenica;
- (xiii) The road from Poplat to Neum.

Part 2

A. *Sarajevo district*

1. For an interim period, specified in paragraph 2 below, there shall be established the Sarajevo District the outer boundary of which shall be as delineated in the attached map [*see* S/26337, *Appendix II*]. This boundary shall be subject to adjustment by the Boundary Commission in accordance with article II.1(*b*) of the constitutional agreement. The Commission shall first of all consider the areas Cekrcici, Ratkovci, Catici and Drazevici for inclusion in the Sarajevo district and shall thereafter also consider the inclusion of the *opstinas* of Kiseljak and Kresevo.

2. The period of United Nations participation in the governance of the Sarajevo district is planned for two years. The parties commit themselves to finding a permanent solution during this period. The period of United Nations presence can therefore be shortened if so recommended by the Presidency, it being understood that the participation of the United Nations in the governance of that district shall at all times be as determined by the Security Council of the United Nations.

3. Sarajevo district shall have the governmental functions and powers specified for Constituent Republics in the constitutional agreement, except that it shall not be represented in the Presidency. The *opstinas* within the Sarajevo district shall have those governmental functions and powers that opstinas have under current legislation, subject to the authority of the United Nations Administrator, to be used only in exceptional circumstances. Laws adopted by the Union Parliament shall apply also within Sarajevo district.

4. Sarajevo district shall be governed by a United Nations Administrator appointed by the Secretary-General. The Administrator shall work under the over-all supervision of the Special Representative of the Secretary-General and in close co-operation with the Joint Commission for the Sarajevo District established by the Military Agreement for Peace in Bosnia and Herzegovina. The UN Administrator shall be advised by an Advisory Body, which shall be composed of four representatives of the Muslim people, three representatives of the Serb people, two representatives of the Croat people, and one representative of the District's minorities, the latter shall be nominated by the Co-Chairmen. The Advisory Body shall make its recommendations by consensus.

5. The United Nations Administrator shall establish courts of first instance and an appellate court in each *opstina* included in Sarajevo district. Appeals from these courts may be taken to the courts of the Union of Republics of Bosnia and Herzegovina in the same way as appeals from courts of the Constituent Republics.

6. Within Sarajevo district the Boundary Commission shall propose new *opstina* boundaries, taking into account the following factors:

(*a*) The boundaries existing on 1 January 1991.

(*b*) The tentative changes in boundaries that were implemented after 1 January 1991.

(*c*) The cease-fire line.

(*d*) Population distribution, as reflected in census figures and other data.

(*e*) The wishes of those specifically affected, determined by a plebiscite or otherwise.

(*f*) The views of the Advisory Body and the United Nations Administrator.

The proposals of the Boundary Commission for the opstina boundaries shall be submitted for decision to the Presidency.

B. *Mostar city* opstina

1. For an interim period, specified in paragraph 2 below, there shall be established the Mostar city *opstina*, the outer boundary of which shall be as delineated in the attached map. This boundary shall be subject to adjustment by the Boundary Commission in accordance with Article II.1(*b*) of the constitutional agreement.

2. The period of European Community participation in the governance of the Mostar city *opstina* is planned for two years. The parties commit themselves to finding a permanent solution during this period. The period of European Community presence can therefore be shortened if so recommended by the Presidency, it

being understood that the participation of the European Community in the governance of the Mostar city *opstina* shall at all times be as determined by the Council of Ministers of the European Community.

3. Mostar city *opstina*, which shall have within it the buildings for the capital of the Croat majority Republic, shall have the governmental functions and powers specified for Constituent Republics in the Constitutional Agreement. The Mostar city *opstina* shall have those governmental functions and powers that opstinas have under current legislation, subject to the authority of the European Community Administrator, to be used only in exceptional circumstances. Laws adopted by the Union Parliament shall apply also within Mostar city *opstina*.

4. Mostar city *opstina* shall be governed by a European Community Administrator appointed by the President of the European Council. The Administrator shall work in close consultation with the Special Representative of the Secretary-General and in close co-operation with the Regional Joint Commission established by the Military Agreement for Peace in Bosnia and Herzegovina. The Administrator shall be advised by an Advisory Body, which shall be composed of three representatives of the Croat people, three representatives of the Muslim people, two representatives of the Serb people, and one representative of the City's minorities, the latter shall be nominated by the Co-Chairmen. The Advisory Body shall make its recommendations by consensus.

5. The European Community Administrator shall establish courts of first instance and an appellate court in the Mostar city *opstina*. Appeals from these courts may be taken to the courts of the Union of Republics of Bosnia and Herzegovina in the same way as appeals from courts of the Constituent Republics.

6. Mostar city *opstina* shall be demilitarized under the arrangements of a Regional Joint Commission in accordance with the Military Agreement for Peace in Bosnia and Herzegovina. UNPROFOR and all other UN agencies shall operate in the City as in the rest of the country.

C. *Police forces*

1. Each existing or new *opstina* in the Sarajevo district shall organize and control its own uniformed police force, which shall have a proportionally balanced ethnic composition and shall be subject to supervision by the United Nations Administrator.

2. Each Constituent Republic shall organize and control its own uniformed police force, which shall have a proportionally balanced ethnic composition. Any necessary coordination shall be the responsibility of the Presidency.

3. The parties understand that as part of the UNPROFOR deployment in Bosnia and Herzegovina there is to be a large civilian police element, whose principal task will be to monitor the police of the Constituent Republics and of the *opstinas* in the Sarajevo district, so that each: has an appropriately balanced ethnic composition, does not oppress members of minority ethnic groups, contributes positively to the reversal of "ethnic cleansing" by protecting persons returning after having been forced to flee, carries out the judgements of courts, in particular the Human Rights Court, assists the Interim Human Rights Commissioner, the Deputy Commissioners and the human rights monitors, and that the numbers and equipment of the police are in keeping with normal European standards.

D. *Protection of human rights and the reversal of ethnic cleansing*

1. The right is established of a refugee or displaced person to freely return as part of an overall process of normalization. All statements or commitments made under duress, particularly those relating to the relinquishment of rights to land or property, shall be treated as wholly null and void.

2. The parties understand that there is to be an International Human Rights Monitoring Mission, to be established by the Secretary-General of the United Nations, which is to be headed by a Human Rights Commissioner for Bosnia and Herzegovina based in Sarajevo. Deputy Commissioners are to be based in various parts of the country. The Commissioner is to be supported by international human rights monitors, deployed throughout the territory of the Union of Republics of Bosnia and Herzegovina, in order to provide protection in urgent cases, they may intercede with the Presidency and the governments of the Constituent Republics, with the Administrator of Sarajevo District and with UNPROFOR, they may refer issues to the ombudsmen and to other human rights agencies as needed and are to work closely with the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and other humanitarian agencies. The Commissioner is expected to submit regular reports to the Secretary-General, who is to report periodically to the Security Council and to other international bodies, including the United Nations Commission on Human Rights and its Special Rapporteur.

ATTACHMENT

A. *The outer boundary of the Sarajevo district*

The outer boundary of the Sarajevo district shall be as indicated on the Map below, subject to any changes that may be made in accordance with paragraph A.1 of Part 2 of the present Appendix.

B. *The outer boundary of the Mostar city* opstina

The outer boundary of the Mostar city *opstina* shall be as indicated on the Map below, subject to any changes that may be made in accordance with paragraph 1 of Part 2 of the present Appendix.

APPENDIX III

Military Agreements

Part 1

AGREEMENT FOR A COMPLETE CESSATION OF ALL COMBAT ACTIVITIES AMONG THE PARTIES IN CONFLICT OF 30 JULY 1993

[*For the text, see S/26233, Appendix I, in the present* Supplement.]

Part 2

MILITARY AGREEMENT FOR PEACE IN BOSNIA AND HERZEGOVINA OF 11 AUGUST 1993

THE UNDERSIGNED MILITARY COMMANDERS, as representatives of the Parties in Conflict,

Pursuant to Section II of the Agreement Relating to Bosnia and Herzegovina to be concluded in Geneva, Desiring to work out arrangements for bringing about compliance with a cessation of hostilities, and for monitoring it so as to ensure that it is effective and lasting,

HEREBY AGREE AS FOLLOWS:

Article I

MEASURES FOR COMPLIANCE

1. The Parties shall comply in good faith with all provisions in this Agreement. If a dispute arises, UNPROFOR shall be notified and may make a determination on the merits of the dispute.

2. The Parties shall adhere to the Target Time-table for implementing this agreement, attached as Appendix I, except when UNPROFOR deems that changes are necessary.

3. The Parties shall fully support monitoring and control measures to verify compliance with this Agreement, including:

(*a*) establishment of the Joint Commission, which shall operate in accordance with the procedures set out in Appendix II;

(*b*) establishment of Regional Joint Commissions, which shall operate in accordance with the procedures set-out in Appendix II;

(*c*) establishment of "hot lines" between commanders in conflict areas, and between commanders and UNPROFOR;

(*d*) ensuring military observers full freedom of movement and access to military installations;

(*e*) monitoring and movement by helicopter, in accordance with clearance arrangements to be determined by the Joint Commission.

Article II

SEPARATION OF FORCES

1. *Principles for initial separation of forces*

(*a*) Separation of forces shall be achieved progressively and shall include monitoring by UNPROFOR of infantry and heavy weapons on both sides of confrontation lines, that are within range of the confrontation lines.

(*b*) The concepts of separation of forces and withdrawal of heavy weapons shall be linked. Heavy weapons shall be defined as weapons having a calibre of 12.7 or more millimeters.

(*c*) Details of implementation, including items "to be agreed", shall be resolved in the Joint Commissions.

(*d*) Special priority shall be given to Sarajevo.

2. *Ceasefire*

In accordance with Article I of the Agreement for a Complete Cessation of All Combat Activities of 30 July 1993, the forces of the Parties shall:

(*a*) cease firing and make no offensive actions;

(*b*) freeze their positions on existing lines;

(*c*) make no forward deployments of personnel or materiel. Rotations of units shall be permitted on a one-for-one basis, under UNPROFOR monitoring;

(*d*) make no establishment or enhancement of fortifications.

3. *Declaration of forces*

The Parties shall provide to UNPROFOR the following information:

(*a*) numbers and locations of all heavy weapons that are within range of the confrontation lines;

(*b*) maps and other detailed documentation on all mines, that surround or are within the confrontation lines;

(*c*) traces depicting the position of front lines;

(*d*) positions and descriptions of fortifications; and

(*e*) positions and numbers of soldiers.

4. *Withdrawal of forces*

(*a*) UNPROFOR, in consultation with the Joint Commission, shall mark the confrontation lines.

(*b*) The forces of the Parties shall withdraw, in a balanced manner but one that is consistent with their different composition. The manner and extent of withdrawal shall be worked out by UNPROFOR, in consultation with the Joint Commission.

(*c*) The Areas of Separation shall be increased over time by the continued withdrawal of the forces of the Parties to their respective regions, in consultation with UNPROFOR in the Joint Commission. As this progressive withdrawal takes place, a number of units shall demobilize. UNPROFOR, in consultation with the Joint Commission, shall monitor the process of agreed demobilization.

(*d*) The forces of the Parties shall be prohibited from entering the Areas of Separation, except while conducting joint patrols with UNPROFOR or clearing mines. Areas of Separation shall be open to civilian movement, under UNPROFOR control.

5. *Withdrawal of heavy weapons*

(*a*) In accordance with locations and a time schedule to be agreed within the Joint Commission, the heavy weapons of the Parties shall be withdrawn from their current positions and concentrated in new locations. Such locations shall be agreed in light of their suitability for monitoring and the range of the heavy weapons.

(*b*) UNPROFOR shall monitor the process of withdrawal. Heavy weapons that are withdrawn to locations that are out of range of positions of the other Parties shall be monitored by UNPROFOR; heavy weapons that remain within range of such positions shall be controlled by UNPROFOR.

(*c*) Ammunition shall be stored and monitored separately from heavy weapons. The distance between ammunition and heavy weapons shall be agreed within the Joint Commission.

6. *Confinement of infantry to barracks*

As selected infantry forces are withdrawn from the lines of confrontation, a number of such forces, to be determined by

UNPROFOR in consultation with the Joint Commission, shall be confined to barracks.

7. *Clearing mines*

Designated units of the Parties shall, within areas of separation and elsewhere, clear all mines they have laid, in accordance with mutual agreement in the Joint Commission.

Article III

MONITORING OF BORDERS

The borders of the Union of Republics of Bosnia and Herzegovina shall be monitored in accordance with the agreement of the political representatives of all Parties and relevant Security Council resolutions.

Article IV

RESTORATION OF INFRASTRUCTURE

1. *Principles for restoration of infrastructure*

   (*a*) Interfering with the supply of water, gas, or electricity as a weapon or means of pressure is unacceptable. Infrastructure shall not be attacked or degraded in any way, and shall not be used for any military purpose.

   (*b*) Restoration of infrastructure shall not be conditioned on implementation of the military provisions in this Agreement or of other provisions in the Agreement Relating to Bosnia and Herzegovina.

   (*c*) Infrastructure shall be restored for the benefit of all civilians, irrespective of ethnic origin, and shall be reestablished across international borders, in accordance with agreements reached by the civil authorities.

   (*d*) UNPROFOR and other international agencies, as appropriate, may provide guidance and assistance in restoration of infrastructure.

   (*e*) Special priority shall be given to restoration of infrastructure for all the citizens of Sarajevo.

2. *Identifying priorities and making repairs*

   (*a*) The Infrastructure Management Group, composed of representatives of each Party, shall identify infrastructure repair priorities according to needs, local resources and the resources of aid agencies. Repairs shall be executed in conjunction with civilian authorities and relevant local agencies of all Parties.

   (*b*) The Parties shall provide and fulfil guarantees of security to make such repairs. Access shall be guaranteed by the Parties.

   (*c*) Parties shall provide access to infrastructure sites consistent with security. Parties shall provide liaison repair teams, after local agreement by joint committees. A common instruction for passage down chains of command shall be developed to demonstrate equal endorsement of support for restoration of infrastructure and to allow free access for reconnaissance, workers and expert teams.

3. *Infrastructure sites shall included*

   (*a*) Power grids;

   (*b*) Steam power stations, coal mines, and hydroelectric power stations;

   (*c*) Bridges;

   (*d*) Gas lines;

   (*e*) Telecommunications;

   (*f*) Railway lines;

   (*g*) Routes;

   (*h*) Water supply.

Article V

PROVIDING FREEDOM OF MOVEMENT

1. *Principles for freedom of movement*

   (*a*) UNPROFOR and international humanitarian organizations, especially aid convoys, shall have freedom of movement and priority use of roads and transportation facilities. UNPROFOR may provide escort for convoys and other vehicles as it deems necessary.

   (*b*) The Parties shall ensure the security and freedom of movement of civilian and commercial traffic. Special attention shall be paid to ensure a traffic throughway to the Bihac area, and right of passage to enclaves in Eastern Bosnia, and access to commercial ports on the Adriatic.

   (*c*) In consultation with the Joint Commission, UNPROFOR may monitor, patrol and establish checkpoints to enhance freedom of movement. UNPROFOR may conduct joint patrols with each Party on the territory that it controls.

2. *Special measures to open specified routes*

As a first step in establishing freedom of movement, special measures shall be taken to open the routes specified in paragraph 3 of this Article. Such measures shall be agreed upon in joint commissions and shall include the following:

   (*a*) UNPROFOR may conduct recces and facilitate repairs;

   (*b*) military movements of the Parties shall be permitted only in coordination with UNPROFOR, as well as with the commanders of the Parties;

   (*c*) UNPROFOR shall maintain a heightened presence, including establishing checkpoints at the entrance and exit of such routes and elsewhere where it deems its presence necessary in order to ensure safe passage;

   (*d*) UNPROFOR may conduct inspections at UNPROFOR checkpoints and seize war-related materials carried during unauthorized movements. The Parties may be present during such inspections; and

   (*e*) A corridor extending 500 metres to the left and right of the specified routes shall be demilitarized, in accordance with measures agreed by the Joint Commission.

3. *Routes with special measures shall be established between or to the following destinations.*

(*a*) The road and railway line from Metkovic on the border of the Republic of Croatia to the centre of the city of Sarajevo.

(*b*) The road from Sarajevo city to Zenica, via Rajlovac-Ilijas-Visoko.

(*c*) The road and railway from the city of Sarajevo to Samac via Doboj, and from Doboj to Tuzla.

(*d*) The road from Bihac to Livno.

(*e*) The road from Nevisinje to Mostar.

(*f*) The road from Zepa/Srebrenica to Kladanj.

(*g*) The road from Visegrad to Sarajevo via Gorazde and Pale.

(*h*) The road from Stolac to Trebinje via Ljubinje.

(*i*) The Road from Doboj to Teslic.

(*j*) Sarajevo airport.

(*k*) Banja Luka airport.

(*l*) Tuzla airport.

(*m*) Mostar airport.

THIS AGREEMENT:

(*a*) shall enter into and remain in force in accordance with the Agreement Relating to Bosnia and Herzegovina to be concluded in Geneva; and

(*b*) shall supersede and replace the Agreement for Peace in Bosnia and Herzegovina set out in Appendix III to the Agreement to be concluded in Geneva.

DONE AT Sarajevo Airport, on the eleventh day of August, 1993, in two versions, the English version being the authentic one.

SIGNED:

General Rasim DELIC

General Ratko MLADIC

General Milivoj PETKOVIC

General Francis BRIQUEMONT

Appendix I

TARGET TIMETABLE FOR IMPLEMENTING THIS AGREEMENT

D DAY = seven days after midnight of the day the Agreement Relating to Bosnia and Herzegovina is signed in Geneva.

PHASE 1: D - 7 to D Day

Cessation of all combat activities, in accordance with the Agreement of 30 July 1993, continues to be observed.

PHASE 2: D DAY to D + 7

1. Full ceasefire observed (Article II, paragraph 2.)

2. Declaration of forces provided (Article II, paragraph 3.)

3. Joint Commissions, hot lines, and other monitoring and control measures established (Article I.)

4. Principles for Freedom of Movement observed (Article V, paragraph 1.)

PHASE 3: D + 8 to D + 29

1. Lines of confrontation marked (Article II, paragraph 4(*a*))

2. Infrastructure restoration begins. (Article IV)

3. Routes with Special Measures to Ensure Safe Passage are opened (Article V, paragraphs 2 and 3.)

4. Withdrawal of Forces and Heavy Weapons begins (Article II, paragraphs 4 and 5.)

5. Confinement of Infantry to Barracks begins (Article II, paragraph 6.)

6. Monitoring of Borders begins (Article III.)

PHASE 4: D + 29 to D + 60

Continued withdrawal of forces to their respective regions. Demobilization of units. Area of Separation expanded (Article II, paragraph 4(c).)

Appendix II

PROCEDURES FOR THE JOINT COMMISSION

1. The Joint Commission shall operate under the chairmanship of UNPROFOR. Each Party shall designate the representative of its choosing, whether civil or military, to the Joint Commission. Deputies and assistants, civilian or military, may be present to assist their representative.

2. Other than authorized members of each delegation, meetings of the Joint Commission shall be closed. Media may be present only by express agreement of each Party.

3. Each Party's representative shall be authorized to act fully on behalf of that Party and to take decisions with respect to implementation of this Agreement.

4. The Joint Commission shall meet when and where UNPROFOR decides, in consultation with the Parties.

5. Decisions of the Joint Commission shall be taken by consensus. UNPROFOR may decide certain matters that it deems principally within its competence, in consultation with the concerned Parties.

6. UNPROFOR shall report on the proceedings of the Joint Commission to the United Nations, through the Special Representative of the Secretary-General for the Former Yugoslavia.

7. These procedures shall guide the operation of Regional Joint Commissions and other implementing bodies. Amendments to these procedures may be made by UNPROFOR in consultation with the Parties.

Part 3

AMENDMENTS TO THE 11 AUGUST 1993 MILITARY AGREEMENT FOR PEACE IN BOSNIA AND HERZEGOVINA

The Military Agreement for Peace in Bosnia and Herzegovina, which was concluded by the military commanders of the parties in Sarajevo on 11 August 1993 and which is set out in Part 2 of the present Appendix, is hereby amended as follows:

1. Article I, sub-paragraph 3(*b*), to read as follows:

> establishment of a Joint Commission for the Sarajevo district and other Regional Joint Commissions, which shall operate in accordance with the procedures set out in Appendix II;

2. Article II, sub-paragraph 4(*c*), to read as follows:

> The Areas of Separation shall be increased over time by the continued withdrawal of the forces of the Parties to their respective regions, in consultation with UNPROFOR in the Joint Commission. As this progressive withdrawal takes place, a number of units shall demobilize. Sarajevo District and Pale Opstina shall be demilitarized. UNPROFOR, in consultation with the Joint Commission, shall monitor the process of agreed demobilization and demilitarization.

3. Entry-into-force clause: delete paragraph (*b*).

4. Appendix I, first paragraph, to read as follows:

> D Day = seven days after midnight (New York time) of the day on which the Security Council approves the arrangements implementing the Military Agreement of 11 August 1993, as amended.

APPENDIX IV

Preliminary agreement between the Republic of Croatia and the Union of Republics of Bosnia and Herzegovina for implementing the 1965 Convention on Transit Trade of Land-Locked States

The Republic of Croatia
and
The Union of Republics of Bosnia and Herzegovina

Considering that, as successors of the Socialist Federal Republic of Yugoslavia which had been party to the Convention on Transit Trade of Land-Locked States concluded in New York on 8 July 1965 (hereinafter the "Convention"), the Republic of Croatia and the Union of Republics of Bosnia and Herzegovina should apply between them the provisions of the Convention,

Further considering that the Union of Republics of Bosnia and Herzegovina is to be considered a "land-locked State" within the meaning of that Convention and that with respect to Bosnia and Herzegovina the Republic of Croatia is a "transit State" within the meaning of the Convention,

Desiring to conclude an agreement, on a basis of reciprocity - in accordance with Article 3(1)(*a*) of the Convention on the High Seas quoted in the Preamble of the Transit Trade Convention and with Article 15 of that Convention - to establish, as foreseen in paragraph 2 of Article 2 of the Convention, the rules governing traffic in transit and the use of means of transport passing across Croatian territory between the territory of the Union of Republics of Bosnia and Herzegovina and the Adriatic Sea, and when passing across territory of the Union of Republics of Bosnia and Herzegovina in transit between places of entry and exit which are both on Croatian territory, as well as to regulate other matters foreseen in the Convention,

HEREBY AGREE AS FOLLOWS:

Article 1

(*a*) Freedom of transit under the terms of this Preliminary Agreement shall be granted to both Parties on the basis of reciprocity.

(*b*) The Croatian ports of Ploce and Rijeka are designated as those to which the Union of Republics of Bosnia and Herzegovina is to have access, as foreseen in the Convention, and the routes, by road and as appropriate by rail, between Ploce and Sarajevo and between Rijeka and Bihac are the ones as to which special rules are to be adopted.

(*c*) The roads on the territory of the Union of Republics of Bosnia and Herzegovina:

> (i) between the Croatian border near Velika Kladusa (via Cazin, Bihac, Kljuc, Jajce, Donji Vakuf, Bugonjo, Jablanica and Mostar) and the Croatian border on the south, as well as the road between Donji Vakuf (via Travnik) and Zenica where this road links with the road under (ii) below,
>
> (ii) between Bosanski Brod (via Dervanta, Doboj, Zenica, Sarajevo and Mostar) and the Croatian border on the south,

shall be the ones to which the freedom of transit, in accordance with the Convention, shall be granted to the Republic of Croatia.

(*d*) The same freedom of transit shall be granted to the Republic of Croatia on the so-called "Una railway line" on the territory of the Union of Republics of Bosnia and Herzegovina between Bosanski Novi (via Bihac) and the Croatian border on the south in the direction of Knin.

(*e*) The reference to specific ports of Croatia and the roads and the railway line within the Union of Republics of Bosnia and Herzegovina, and specific points of entry from Croatia and the Union of Republics of Bosnia and Herzegovina and from Bosnia and Herzegovina to Croatia, are not intended to exclude the facilitation by both states of transit trade through other ports or points of entry.

Article 2

The parties shall immediately start negotiating, with a view to concluding by 1 December 1993, an agreement relating to all aspects of the implementation of the Convention and this Preliminary Agreement, covering in particular the following subjects:

1. Specification of the primary routes, by road as well as by rail, from the ports to the cities specified in Article 1;

2. Rules governing the means of transport over the routes and the railroad specified in Article 1 (Art. 2(2) of the Convention);

3. Facilities existing, or to be built, within the specified ports that are to be specially dedicated to traffic of the Union of Republics of Bosnia and Herzegovina might be permitted to operate and develop with the consent of the Republic of Croatia;

4. Possible imposition of special transit dues, tariffs or charges (Arts. 3 and 4 of the Convention);

5. Special customs and other measures to facilitate transit trade (Art. 5 of the Convention);

6. Conditions of storage of goods in transit (Art. 6 of the Convention);

7. Possible establishment of free zones in the designated ports (Art. 8 of the Convention);

8. Exceptions on grounds of public health, security and protection of intellectual property (Art. 11 of the Convention);

9. Exceptions in case of emergency (Art. 12 of the Convention);

10. Application of the Agreement in time of war (Art. 13 of the Convention);

11. Settlement of disputes pursuant to Article 16 of the Convention.

Article 3

Pending the conclusion of the agreement referred to in Article 2, the Republic of Croatia and the Union of Republics of Bosnia and Herzegovina shall facilitate, as far as it is possible, their mutual transit trade, as defined in this Agreement.

DONE this ___________ day of ___________ 1993, in _________, in three copies, each in the English, Croatian and Serbian languages, which shall be equally authentic.

DOCUMENT S/26337/ADD.2

[*Original: English*]
[*23 August 1993*]

BOUNDARIES OF THE CONSTITUENT REPUBLICS

The map below will ultimately be incorporated in appendix I, annex A, part I, to the Agreement relating to Bosnia and Herzegovina [*see S/26337/Add.1*]. The map has been reduced to 90 per cent of the original size.

[Map: "Boundaries of the Constituent Republics". See end of volume.]

DOCUMENT S/26340

Letter dated 23 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*23 August 1993*]

I have the honour to submit to you the attached letter, dated 21 August 1993, by the President of the Republic of Bosnia and Herzegovina, Mr. Alija Izetbegovic.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhammed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

Letter dated 21 August 1993 from the President of Bosnia and Herzegovina to the President of the Security Council

The talks in Geneva have recessed for the next 10 days. Our delegation and I are returning to Sarajevo to submit the proposed plan for the review and debate of our Parliament.

I wish to make it clear that in submitting the plan for our citizens' review, we have not approved the plan as it is. Similarly, no individual element of the plan can be affirmed unless the whole plan is accepted.

(*Signed*) Alija IZETBEGOVIC
President of the Presidency

DOCUMENT S/26342

Letter dated 23 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*23 August 1993*]

I have the honour to submit to you the attached letter, dated 19 August 1993, by the President of the Republic of Bosnia and Herzegovina, Mr. Alija Izetbegovic.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 19 AUGUST 1993 FROM THE PRESIDENT OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

I regret to inform you that the violation of the human rights of Bosnian Muslims perpetrated by the HVO militias (Croatian Council of Defense) in Herzegovina has reached the extent of genuine human catastrophe.

Tens of thousands of people have been expelled from their homeland in order to create ethnically pure Croatian territories.

Men between the ages of 15 and 70 have been arrested and exposed to torture and to selective murder. In early June, the President of the SDA (Party for Democratic Action) in Herzegovina, Zijad Demirovic, was arrested in Mostar together with all the members of his family. Ever since, there has been no trace of him. The President of the SDA in Capljina, Mr. Boskajic, was ruthlessly murdered in front of his own house, before the eyes of his family and neighbours. Men are being detained in various concentration camps listed as follows:

City	*Camp location*
Mostar	Helidrom, University building
Capljina Dretelj	Army barracks on Grabovina, military warehouse in Gabela, a former cow farm in Celjevo
Stolac	Army barracks, tobacco station, a school in Crnici, steel factory
Vitina	Former agriculture complex
Ljubuski	Prison in Ljubuski
Prozor	Atomic shelter, UNIS, high school complex, fire-fighters' house

All of the Muslim houses in the villages of Gubavica, Bivolje Brdo, Hasica Glavica, Stanojevici, Pijesci, Seves Polje, Skaljevina, and Lokve, as well as in the suburbs of Mostar, and in Cim and Ilici, have been burnt down. The mosques in the western parts of Mostar, as well as in the villages of Visici and Dubrave have been destroyed before the eyes of the International Committee of the Red Cross and journalists who are witnessing the torture and expulsion of Muslims. Muslims are not allowed to leave Herzegovina unless they sign a statement by which they "voluntarily" relinquish all of their belongings. In Mostar alone, more than 8,000 of such statements have been coerced.

Stolac, Tasovcici, Capljina, Ljubuski, Visici, Celjevo, the Mostar quarters of Balinovac and Djikovina, as well as the quarters near the Mostar Cathedral and the building of the Ministry of Internal Affairs have been ethnically cleansed of the Muslim population. Many of the expelled people, the majority of whom are women and children, are now sieged in the eastern parts of Mostar - Blagaj and Pocitelj Polje and left without any food, water, medications or electricity.

We request the Security Council:

(*a*) To immediately send representatives of the United Nations High Commissioner for Refugees and the United Nations Protection Force to Mostar and other endangered places, who will confirm the facts on the ground and report to the Security Council and the international community;

(*b*) To urgently secure, through UNHCR, the delivery of the humanitarian aid to all of the expelled population in Mostar and in the concentration camps throughout Herzegovina;

(*c*) To order the HVO to free all of the detained civilians, and to request that prisoners of war be treated according to the international conventions.

Once again, we also point out our request that the city of Mostar be declared a protected area.

It is unfortunate that I have to point out that the responsibility for the tragedy of the Bosnians and, in particular, of the Muslims in Bosnia lies, in addition to the two nationalistic armies, upon those in the international community who have imposed the "arms embargo" upon the Bosnian people, through which they have practically tied our hands behind our backs and abolished our right to self-defence guaranteed by the Charter of the United Nations.

I urge you, at this time, to secure at least the right of survival to the people of Bosnia and Herzegovina who have been denied the right to defend themselves.

(*Signed*) Alija IZETBEGOVIC
President of the Presidency

DOCUMENT S/26343*

Letter dated 23 August 1993 from the representative of Lithuania to the Secretary-General

[*Original: English*]
[*24 August 1993*]

I have the honour to submit for your information two statements issued at Vilnius by the Ministry of Foreign Affairs of Lithuania on 20 and 22 August 1993 respectively concerning the unilateral suspension by the Russian Federation of the withdrawal of its armed forces from the territory of Lithuania.

I should be grateful if you would arrange for the distribution of the text of the present letter as a document of the General Assembly and of the Security Council.

(*Signed*) Algimantas GURECKAS
Chargé d'affaires a.i.
of the Permanent Mission
of Lithuania to the United Nations

TEXT OF THE STATEMENT OF 20 AUGUST 1993

On 20 August 1993, the Ministry of Foreign Affairs of Lithuania received an official statement by the Ministry of Foreign Affairs of the Russian Federation concerning the suspension of the withdrawal of the armed forces of the Russian Federation from Lithuanian territory.

The Russian Federation, disregarding resolutions of the United Nations General Assembly and the Conference on Security and Cooperation in Europe, its international obligations and world public opinion to the effect that the withdrawal of its armed forces should not be conditional on any other matter, has violated the agreement of 8 September 1992 between the Republic of Lithuania and the Russian Federation containing the timetable for the withdrawal of its armed forces from Lithuanian territory.

Lithuania considers the suspension of the withdrawal a violation of existing agreements and an attempt to exert political pressure upon the process of bilateral negotiations.

Lithuania considers as unfounded accusations that Lithuania has altered its negotiating position or that it is purposely delaying the pace of negotiations. Lithuania waited two months for a response to proposals submitted by the President of Lithuania to the Russian Federation on 21 May 1993. During the most recent round of talks in Moscow between the two State delegations, our negotiating partners refused to discuss the text of a draft final agreement on the withdrawal. The statement by the Russian Federation that the matter of compensations for damages is a new demand is unfounded. In its efforts to maintain good relations with neighbouring countries, Lithuania seeks to address any disagreements through negotiations. Lithuania therefore rejects the accusations by the Russian Federation that it is unwilling to resolve matters of mutual concern.

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* Circulated under the double symbol A/48/343-S/26343

The aim of the Republic of Lithuania is to restore historical justice. Lithuania is prepared to use all available legal and diplomatic means to achieve this goal.

TEXT OF THE STATEMENT OF 22 AUGUST 1993

On 22 August 1993, the Ministry of Foreign Affairs of the Russian Federation released another statement concerning the withdrawal of the armed forces of the Russian Federation from Lithuanian territory.

In the statement, Lithuania is once again accused of unwillingness to discuss an agreement by which the completion of the withdrawal of Russian military forces would be confirmed. The same statement outlines the position of the Russian Federation that it is free from any obligations to compensate for damages inflicted upon Lithuania after 1 January 1992, as well as any obligations to transfer to Lithuania a portion of armaments so as to restore the defensive capabilities of the Republic of Lithuania. The statement refers to rumoured threats being made against Russian officers and their families residing in Lithuania and asserts that the Russian Federation will respond to potential provocations swiftly and resolutely.

Of particular concern to Lithuania is the position contained in the statement that the Russian Federation no longer sees any purpose to continue bilateral negotiations concerning the withdrawal of Russian armed forces.

Consequently, the Ministry of Foreign Affairs of Lithuania states the following:

1. It appears that the Russian Federation has begun a propaganda campaign directed against Lithuania, with the intent to portray Lithuania as the unreasonable party. An argument presented by the Russian Federation to support this claim is the extent of damages suffered by Lithuania throughout the entire period of the Soviet occupation (US$ 146 billion), which is allegedly included in the draft documents presented by Lithuania. In actuality, it has been the position of the Government of Lithuania to discuss only the existence of damages and the principle of compensation of these damages;

2. The responsibility for damages, including those incurred since the dissolution of the Union of Soviet Socialist Republics, has not disappeared simply because the negotiating process on this question has not been completed; and

3. It is the official position of the Republic of Lithuania to ensure a peaceful environment for officers of the Russian Federation and their families residing in Lithuania, as well as the opportunity to depart the territory of Lithuania without hindrance. These conditions are indeed being secured. The position of Lithuania has not changed: negotiations are the only civilized means for the resolution of common problems. Attempts to resolve matters through other means - political, military or economic pressure - are unacceptable. Lithuania, unlike the Foreign Ministry of the Russian Federation, sees considerable purpose in the continuation of negotiations.

DOCUMENT S/26344

Letter dated 20 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*24 August 1993*]

I have the honour to transmit herewith the text of a statement dated 18 August 1993 issued by the Ministry of Foreign Affairs of the Azerbaijani Republic.

I should be grateful if you would have this letter and above-mentioned statement circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

The statements by the President of the Republic of Armenia and the Ministry of Foreign Affairs of Armenia of 2 and 7 August 1993 respectively [*S/26236 and S/26280*] provide clear evidence of the continuing efforts of the Armenian side to mislead the international community with respect to the situation relating to the Armenian-Azerbaijani conflict and its desire to foist on the international community, by turning facts on their head, its own assessment of recent events in the region.

Thus, the statement by the leader of the neighbouring State enunciates the necessity of ensuring "the security of the people of Armenia and Nagorny Karabakh", which completely cancels out the previous assertions by the Armenian leadership that Armenia has no territorial claims on Azerbaijan and points the way to implementation of the decision by the Armenian parliament on 1 December 1989 concerning the joining of Nagorny Karabakh to Armenia, which has to date not been revoked and is by its very nature contrary to international law. At the same time, Mr. Ter-Petrossian justifies the actions of the Republic of Armenia by "the supreme interest of the Armenian people for safety and development", evidently forgetting that the real security interests of any State can only be achieved on the basis of respect for the principles of good neighbourliness and the peaceful settlement of disputes and that the conflict initiated by Armenia has not only not brought prosperity to its people but has deprived them of the normal conditions for development, not to mention the many human sacrifices it has claimed.

Cynically referring to its interest in "the peaceful resolution of the Nagorny Karabakh conflict" and its "adherence to international obligations", the former leader of the "Karabakh" Committee, now President of Armenia, pursues the task of camouflaging the factual flouting by Armenia of universally recognized norms of international law and inter-State relations and diverting attention from the repeated violations of agreements reached within the framework of the Conference on Security and Cooperation in Europe (CSCE) Minsk Group, and of United Nations decisions, by the Republic of Armenia, which continues to seize more and more territory from Azerbaijan. If, in addition to the above, account is taken of the atrocities committed by the Armenian armed units against the Azerbaijani civilian population in the occupied regions, the active provision of military equipment and personnel from the Armenian national army and of mercenaries and the incessant shelling of peaceful settlements in Azerbaijan, the artificiality of utterances about obedience to the letter and spirit of international law is obvious.

Further on in the statement of the President of Armenia there is a condescending reference to welcoming "the Baku-Stepanakert dialogue", although it is no secret to anyone that in fact it is the Republic of Armenia which is a party to the conflict, and its protégé in Nagorny Karabakh serves as a formal cover for the implementation of expansionist Armenian policies. It is in fact from Erevan that the so-called "Government of the Nagorny Karabakh Republic" is directed, from Armenia that its daughter regime receives military and material assistance and from units of the

Armenian national army that the overwhelming majority of the formations carrying out military operations on Azerbaijani territory are drawn. In view of these numerous facts, the Republic of Azerbaijan can only characterize the actions of its neighbour State as open aggression against sovereign Azerbaijan.

As regards the contacts between representatives of the Government of the Republic of Azerbaijan and the Nagorny Karabakh Republic, the meeting of military experts which took place recently in the front zone was exclusively of a technical military character, was dictated by the need to ensure the operational implementation of the cease-fire and, despite the desire of the Armenian side, cannot be regarded as a political Baku-Stepanakert dialogue, for a State recognized by the world community has nothing to negotiate about with a handful of separatists and terrorists. Azerbaijan will not give in to anyone's attempts to conduct a dialogue with it from a position of strength. At the same time, it would beprepared to hear representatives of the Armenian population of Upper Karabakh on condition that they respect the Constitution and laws of Azerbaijan. To counterbalance Armenia's efforts, which are unacceptable from the standpoint of international law, to legitimize the so-called "Nagorny Karabakh Republic" by, in particular, spreading a story about political contacts between the official authorities of Azerbaijan and Nagorny Karabakh, the Azerbaijani Republic will genuinely strive to create conditions under which it would be possible to reach agreement with the Armenian civilian population of the upper part of Karabakh, who are under strong pressure from the self-styled Government of the Nagorny Karabakh Republic and numerous emissaries from Armenia.

The extremely solicitous note introduced by the references to the difficulties attendant on the peace process and the fears of Azerbaijan's political actions not being in conformity with resolutions by international organizations are also grossly at variance with Armenia's systematic obstructionism in international organizations and with the aggressive actions against Azerbaijan whose effect is to nullify the constant peace efforts of CSCE.

The statement by the Armenian Ministry of Foreign Affairs makes no less apparent the effort by the authorities in Yerevan to conceal the intention of expanding Armenia's territory at the expense of its neighbour. This involves applying the well-tried tactic of paving the way for new seizures of territory through information. In the latest propaganda opus by Armenia's foreign policy department, for example, we find reference to "the military operations undertaken by Azerbaijan against Kapan, Vardenis and Stepanakert". An elementary comparison of the times at which the statement by the Ministry of Foreign Affairs of Armenia was issued and the offensives by Armenian armed units in the directions of Kazakh and Tauz, as well as the subsequent mass invasions of the territory of the Djebrail and Fizuli districts of Azerbaijan, were launched simply confirms the presence of the preliminary information thrust which continues to form part of the arsenal of Armenian diplomacy.

The height of hypocrisy, however, must be seen in the demagogic curtsy of the appeal to all sides to follow Armenia's example by opening the roads passing through their territories. Presumably the inhabitants of the Nakhichevan Autonomous Republic of Azerbaijan, which has for more than one year been squeezed by the blockade, and of the several Azerbaijani districts cut off by the military action in the Fizuli district from the northern part of the Republic are better placed than anyone to express their attitude to such statements.

The Ministry of Foreign Affairs of the Azerbaijani Republic expresses its outrage at and strongly protests against the attempts by the Armenian authorities, using the political map of separatism, to avoid the responsibility for the events taking place in the region, and expresses the firm hope that the United Nations and the world community as a whole will be able to distinguish truth from falsehood and will proclaim their just verdict on the aggressor.

DOCUMENT S/26345

Letter dated 23 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*24 August 1993*]

I have the honour to inform you that the Republic of Armenia is continuing its aggression against the Azerbaijani Republic.

Demonstrating once again their scandalous contempt for the decisions of the Security Council, Armenian armed forces have carried out a large-scale attack in the south-west sector adjacent to the Armenian-Azerbaijani frontier, completely surrounding as of this hour the district centres of Fizuli and Djebrail and occupying dozens of inhabited localities in the Fizuli, Djebrail, Kubatli and Zangelan districts. (The latter has no common border with Nagorny Karabakh and is subject to continual attacks by Armenia.) The armed forces of the Republic of Armenia are simultaneously engaged in a massive rocket-artillery bombardment of settlements in the Kazakh and Tauz districts, situated a significant distance from Nagorny Karabakh.

The fact that all this is occurring immediately after the adoption of the statement made on 18 August by the President of the Security Council [*S/26326*], which condemned the attacks of the Armenian armed forces directed against Fizuli and other populated areas in the south-western part of the Azerbaijani Republic and demanded the immediate withdrawal of all occupying forces from those areas, and also from the previously occupied districts of Kelbadjar and Agdam, bears witness to Armenia's disregard of the urgent calls by the world community for an end to the bloody conflict, which has already lasted five years and which was caused by the desire of the Armenian expansionists to seize a significant part of the territory of the sovereign Azerbaijani Republic.

The attempts made by various international forums to achieve a peaceful settlement of the Armenian-Azerbaijani conflict are continually being nipped in the bud by repeated acts of provocation on the part of the Armenian armed forces. That has also occurred on this occasion.

On the very day after the adoption of the statement by the President of the Security Council, Armenian armed forces stepped up their onslaught against the district centre of Djebrail and, for a short time on 19 August, occupied the town. Despite the fact that, with the aid of reinforcements, units of the Azerbaijani national army soon succeeded in re-establishing control over the town, Armenian units strengthened their positions on the heights that encircle the town to the north and are continuing to rain fire upon it. By 20 August, Armenian armed forces had already occupied 34 villages in the Fizuli district and 14 villages in the Djebrail district.

Since 18 August, deadly clashes have continued around the village of Gyulebird in the southern part of Lachin district of the Azerbaijani Republic. Military hardware and personnel from the military base at Kornidzor in Armenian territory were transferred to this sector of the front by the Armenian expeditionary corps command. Although Azerbaijani troops repulsed Armenian forces from one of the elevations surrounding Gyulebird, Armenian positions at this point are 5 to 6 kilometres inside the territory of Azerbaijan.

At the same time, frontier villages in the Kubatli and Zangelan districts were subjected to intensive bombardment from the territory of the Kafan district of Armenia. The village of Soyug in the Ordubad district of the Nakhichevan Autonomous Republic also came under shelling from Armenian territory.

On 21 August, with the aid of a 12-tank armoured group sent in along the Agdam-Khojavend highway, Armenian armed forces launched an attack to the east of Nagorny Karabakh, deep into Azerbaijani territory. As a result of this assault, they captured the inhabited locality of Agburun and several hills overlooking the village of Ovshar in the Agjabedi district, 30 kilometres from the border of Nagorny Karabakh.

On the night of 22 August, the Armenian army once again launched a massive assault on Fizuli. The town was attacked from three sides. In the face of numerically superior enemy forces, the Fizuli garrison, while continuing to fight, was forced to withdraw from the town in an easterly direction. Rearguard Azerbaijani elements, covering the retreat of units of the national army of Azerbaijan from Fizuli, continued yesterday to fight in the eastern suburbs of this important district centre in south-western Azerbaijan (in the villages of Yukhary Aibasanly, Seyidmakhmudly and Makhmudly). According to the situation on the morning of 23 August, the front had already moved 5 kilometres further east and 10-13 kilometres further south of Fizuli. As a result of the Armenian attack, 42 inhabited localities in the Fizuli district were occupied.

By all evidence, even the latest territorial acquisitions do not satisfy the appetites of the Armenian aggressors, as can be seen from the attacks in the direction of the village of Gyulistan, Geranboy district, which were renewed during the past few days.

The above facts demonstrate that the cautious, half-hearted approach towards condemning the Armenian aggression against the Azerbaijani Republic has created the impression on the part of the Republic of Armenia that it enjoys full impunity and is able to ignore the decisions of such authoritative forums as the United Nations and the Conference on Security and Cooperation in Europe, as well as the resolutions of the Security Council, which have mandatory force.

This once again strengthens the Azerbaijani side in the belief that only immediate recognition of the Republic of Armenia as the aggressor and the imposition against it of the sanctions provided for in Chapter VII of the Charter of the United Nations can compel the Armenian military clique to respect the principles of international law and the sovereignty and territorial integrity of the Azerbaijani Republic.

I should be grateful if you would have this letter distributed as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26346

Letter dated 20 August 1993 from the representative of Yugoslavia to the President of the Security Council

[*Original: English*]
[*24 August 1993*]

I have the honour to transmit herewith the text of a statement by the Government of the Federal Republic of Yugoslavia dated 20 August 1993 on the killing of a Yugoslav border guard and incidents on the Yugoslav-Albanian border.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission
of Yugoslavia to the United Nations

TEXT OF THE STATEMENT

The Government of the Federal Republic of Yugoslavia expresses serious concern over the continuous provocation of armed incidents and other provocations from the Albanian side of the Yugoslav-Albanian border where violations of the State territory of the Federal Republic of Yugoslavia occur. From 1 January to 6 August 1993, the Albanian side caused 45 incidents, out of which 20 involved the use of arms. In recent months border incidents intensified and a large number of civilians and military persons from the Albanian side took part in these incidents. The aggressiveness of the Albanian provocations and the seriousness of the illegal incursions into the territory of the Federal Republic of Yugoslavia are reflected in particular in the ruthless use of firearms against Yugoslav border patrols on their regular duty of guarding and securing the border of the Federal Republic of Yugoslavia, as well as in the pulling down of border marks. In this connection, we condemn most energetically the killing of a Yugoslav border guard, shot in an armed ambush of the border patrol of the Yugoslav Army, on 19 August 1993, in close proximity to the Albanian border in Yugoslav territory.

The escalation of the armed attacks against Yugoslav border guards and the violation of the State territory of the Federal Republic of Yugoslavia are part of the deliberate policy of the Government of the Republic of Albania to cause tension at the border with the Federal Republic of Yugoslavia, to destabilize the situation in the autonomous province of Kosovo and Metohija and in the broader region of the Balkans, aimed at achieving its specific goals.

This policy was also confirmed by the statement of the Presiden of Albania, Mr. Salih Berisha, of 10 August 1993, made on Albanian television and by the request of the Government of Albania to the Security Council, which called openly for the placing of Kosov under the control of the North Atlantic Treaty Organization (NATO and the United Nations and for the dispatching of foreign monitor to the border between Albania and Serbia and to Kosovo.

These official Albanian positions openly disclose before the eye of the entire world public the real intentions and objectives of the policy of the Government of Albania, which is directed against the territorial integrity and sovereignty of the Federal Republic o Yugoslavia. It is obvious that the highest official representatives o Albania are continuing and intensifying the policy of the communis regime of Enver Hoxha for the creation of "greater Albania" which in addition to the territory of the Federal Republic of Yugoslavia should also include parts of other Balkan States. Such a policy i also manifested in the open support to, and incitement of, the secessionist forces in the autonomous province of Kosovo an Metohija. It was also manifested particularly by the officia recognition of the so-called "Republic of Kosovo" by Albania.

By its open interference in the internal affairs of the Federa Republic of Yugoslavia, the instigation of, and assistance to, th secessionist forces, by abetting terrorist actions in Kosovo, by th escalation of border incidents and by calling for military interventio against the Federal Republic of Yugoslavia, the Government o Albania openly violates the principles of the Charter of the Unite Nations, the Helsinki principles and the Paris Charter of th Conference on Security and Cooperation in Europe (CSCE) an other international acts relating to respect for the territorial integrity and sovereignty of States. The present policy of the Government of Albania towards the Federal Republic of Yugoslavia and in the Balkans is a source of great danger for peace and stability in the region.

The Government of Yugoslavia expressed its readiness on many occasions for the normalization and development of relations with Albania and initiated meetings and talks between government representatives of the two countries on all questions related to bilateral relations. The Government of the Federal Republic of Yugoslavia, committed to the principles of the policy of good-neighbourly relations, will continue such a policy.

The Government of Yugoslavia rejects the unfounded accusations of the Government of Albania concerning responsibility for the border incidents. In its efforts to ensure that unwanted border incidents not be repeated and that the regime of the inter-State border be brought back in line with international norms, the Government of the Federal Republic of Yugoslavia pointed out, on a number of occasions, the need for preventive activity in order to check illegal crossings of the Albanian-Yugoslav border by Albanian nationals and to regulate all questions of common interest by agreement. However, for more than a year, the Government of Albania has, without any reason, refused to respond to our request for a meeting of the main Joint Inter-State Commission for Border Incidents.

Contrary to all international norms and standards, the Government of Albania has tried to minimize the importance of the existence of the inter-State border with the Federal Republic of Yugoslavia, as well as with its other neighbours with which, as it is known, it has very serious border problems. By abetting its citizens in illegally crossing State borders, the Government of Albania consciously brings into jeopardy the lives of its citizens and creates tension in its relations with the Federal Republic of Yugoslavia and other neighbouring countries.

The Government of Yugoslavia informed the United Nations of all incidents that had occurred at the border with Albania, pointing out all the dangers inherent in such irresponsible Albanian behaviour and activity for stability, peace and security in the region.

The provocations and unfounded political and propaganda accusations of Albania correspond to the intensification of the international, political, economic and military pressure against the Federal Republic of Yugoslavia. An integral part of this anti-Yugoslav and in particular anti-Serbian policy of Albania, are its frequent requests to the Security Council, NATO and other international organizations to intervene in various ways, including militarily, in Yugoslavia and in particular in the autonomous province of Kosovo and Metohija.

The Government of Yugoslavia points out that the Federal Republic of Yugoslavia remains committed to the idea of open borders and a free flow of peoples in accordance with the provisions of the Helsinki Final Act and Paris Charter of CSCE. To that end it calls for an all-round dialogue with Albania on all outstanding issues concerning inter-State relations and their normalization on the basis of mutual respect, non-interference in internal affairs and the realization of good-neighbourliness. This is the tested and best way for strengthening peace, security and stability in the region.

The Government of Yugoslavia therefore calls on the Government of Albania to show readiness for cooperation and, as a first step, to accept the proposal for the holding of an urgent meeting of the main Joint Inter-State Commission for Border Incidents and subsequently a meeting at the ministerial level.

The Federal Republic of Yugoslavia will continue its efforts in reaching a constructive agreement with Albania on guarding and maintaining the regime of the State border.

The Federal Republic of Yugoslavia will, as in the past, resolutely defend the territorial integrity, sovereignty and inviolability of its border as well as the lives of its border guards.

DOCUMENT S/26349

Letter dated 24 August 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*24 August 1993*]

I have the honour to submit herewith a letter dated 23 August 1993 from Mr. Mate Granic, Minister for Foreign Affairs of Croatia, addressed to you.

I would be grateful if you would provide for the distribution of this letter and its annex as a document of the Security Council.

(*Signed*) Vladimir DROBNJAK
Chargé d'affaires a.i.
of the Permanent Mission of Croatia
to the United Nations

LETTER DATED 23 AUGUST 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF CROATIA TO THE PRESIDENT OF THE SECURITY COUNCIL

In view of the forthcoming consideration by the Security Council of the situation arising from the dissolution of the former Socialist Federal Republic of Yugoslavia and the question of the legal position of one of the successor States, provisionally known as the Federal Republic of Yugoslavia (Serbia and Montenegro), within the Organization, as stipulated in Security Council resolution 821 (1993), my Government wishes to raise several issues.

The relevant organs of the United Nations have stated on several occasions (Security Council resolutions 757 (1992), 777 (1992), 821 (1993) and General Assembly resolutions 47/1 and 47/229) that none of the successor States can automatically succeed to the membership of the former Socialist Federal Republic of Yugoslavia, namely the so-called Federal Republic of Yugoslavia (Serbia and Montenegro), which "should apply for membership in the United Nations" and "shall not participate in the work of the General Assembly". Subsequently, many other international organizations have similarly terminated or suspended the membership of that State, including the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the Conference on Security and Cooperation in Europe, the Movement of Non-Aligned Countries and the Economic and Social Council.

Furthermore, it should be emphasized that the new State has not been automatically accepted as a party to many international treaties, since the depositaries consider it as just one of the successor States of the former Socialist Federal Republic of Yugoslavia (the position taken by the depositaries of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons in May 1993), along with Bosnia and Herzegovina, Croatia, Macedonia and Slovenia. As a result of the dissolution of the former State, the country known as the Federal Republic of Yugoslavia (Serbia and Montenegro) will have to deposit an instrument of succession to all of the international treaties to which it wishes to continue to be a party.

My country wishes to state that the continuation of the use of the name "Yugoslavia" by the country now known as the Federal Republic of Yugoslavia (Serbia and Montenegro) in the United Nations cannot and does not imply that the new State represents a continuation of the existence of the predecessor State (Socialist Federal Republic of Yugoslavia) with regard to the territory it now comprises.

A resolution of the position of that State in the United Nations is a prerequisite for a final solution to the problem. The insistence of the Belgrade authorities, directed towards the international community, on having their claim for an automatic succession to the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations recognized, is motivated by several indisputable benefits that this State would derive from such a decision.

Belgrade's aspiration to inherit all of the common property belonging to the former Federation has been documented on several occasions (document S/26038 is but the most recent example). In this context I would like to stress the importance my Government is attaching to opinions 11, 12 and 13 of the Arbitration Commission regarding the succession, issued on 16 July 1993 [*S/26233, appendix VI*].

The most serious drawback that may arise from the continuation of Belgrade's membership in the United Nations, however, is that this new State would then not have to demonstrate its adherence to the high principles contained in the Charter of the United Nations in order to be admitted to the membership of the United Nations.

My Government firmly believes that the name-plate "Yugoslavia" ought to be removed from the General Assembly Hall, since there are no valid legal reasons for it to be present. The delegation representing the Belgrade authorities in the United Nations should not be allowed to circulate documents under the General Assembly heading since Security Council resolution 777 (1992) denies them participation in the work of the General Assembly. The blue, white and red flag with the communist red star in the centre, still flying on the United Nations mast, yet not recognized even by the Belgrade regime, has to be removed. It is the firm belief of my Government that no representative of the country known as the Federal Republic of Yugoslavia (Serbia and Montenegro) should be allowed to address the Council at its formal sessions. The present situation, whereby the Council invites "Ambassador Djokic" to take part in the discussion, while acting in accordance with neither rule 37 nor rule 39 of the Council's provisional rules of procedure, is unacceptable and in our view procedurally incorrect.

Proper actions of the international community, as represented by the members of the Security Council, would send a strong message to the Belgrade regime and strengthen the authority of the United Nations.

(*Signed*) Mate GRANIC
Minister for Foreign Affairs

DOCUMENT S/26350

Further report of the Secretary-General

[*Original: English*]
[*24 August 1993*]

INTRODUCTION

1. By its resolution 846 (1993) of 22 June 1993, the Security Council, *inter alia*, urged the Government of Rwanda and the Rwandese Patriotic Front (RPF) to conclude quickly a comprehensive peace agreement. It also requested the Secretary-General to report to the Council on the results of the Arusha peace talks as well as on the contribution the United Nations could make to assist the Organization of African Unity (OAU) in the implementation of the peace agreement and to begin contingency planning in the event that the Council decided such a contribution was needed.

2. The Peace Agreement between the Government of Rwanda and RPF was signed in Arusha on 4 August 1993 (see sect. II below).

3. It will be recalled that, in my interim report of 20 May 1993 [*S/25810*], I had indicated that I would submit a report to the Council on the goodwill mission that I had sent to the region from 2 to 19 March 1993, as well as on the outcome of the consultations that had been undertaken with OAU in pursuance of paragraph 2 of resolution 812 (1993), after the conclusion of the Arusha peace talks.

I. THE GOODWILL MISSION

4. Following consultations of the Security Council on 24 February 1993 on the situation in Rwanda, I decided to send a goodwill mission to Rwanda and Uganda to assist me in making recommendations to the Security Council on the peace process. On 22 February, the Governments of Rwanda and Uganda had called for the deployment of United Nations military observers along their common border [*S/25355 and S/25356*].

5. The goodwill mission, which was led by Mr. Macaire Pedanou, former Director in the Department of Political Affairs, visited the region from 4 to 19 March 1993. In addition to Rwanda and Uganda, the mission visited Dar-es-Salaam and Addis Ababa for consultations with the Facilitator and the Coordinator of the Arusha peace talks respectively.

6. The mission held consultations with the Government of Rwanda from 4 to 9 March 1993. It met, in Kigali, with President Habyarimana, the Prime Minister, the Minister for Foreign Affairs and Cooperation and the Minister of Defence. It also travelled to the region of Byumba in the northern part of the country, where it met with the representatives of RPF, and visited the Katuna border post with Uganda.

7. In Rwanda, the mission also visited two camps of displaced persons. It was informed that the population of the displaced persons in the country was estimated at 900,000. In discussions with the mission, the Rwandese parties urged the international community to provide the necessary assistance to ameliorate the plight of the displaced persons and to facilitate their return to their villages. Taking these developments into account, the Department of Humanitarian Affairs led an inter-agency mission to Rwanda from 18 to 25 March 1993 to prepare a consolidated appeal of US$ 78 million to meet the needs of 900,000 displaced persons from April to December 1993. The appeal was launched in Geneva on 15 April 1993.

8. During its visit to Rwanda, the goodwill mission also met with members of the OAU Neutral Military Observer Group (NMOG) which was monitoring and supervising the implementation of the cease-fire that had come into force in July 1992. The mission was informed that NMOG comprised 10 army officers each from Mali, Nigeria, Senegal and Zimbabwe, as well as five officers each from the Rwandese and the RPF armies. The discussions with senior officials of NMOG focused on cooperation between the United Nations and OAU, the role of an expanded NMOG and the assistance that it would require from the international community with respect to the mandate entrusted to it.

9. The mission exchanged views with the parties on the military situation, including the cease-fire, as well as on the respective roles they envisaged for the United Nations and OAU in the process. While the parties agreed on the need for deployment of an international force to assist in the implementation of the peace agreement and related transitional arrangements, they were not in complete agreement, at that time, on the roles of the United Nations and OAU.

10. On 7 March 1993, while the goodwill mission was still in Rwanda, the Government of Rwanda and RPF agreed in Dar-es-Salaam to cease hostilities starting on 9 March 1993 at midnight and to resume the peace talks in Arusha on 15 March [S/25385]. On 12 March, the Security Council adopted resolution 812 (1993), by which it welcomed my decision to send a goodwill mission to the region. The Council also invited me to examine, in consultation with OAU, the contribution that the United Nations could bring to strengthen the peace process in Rwanda, in support of its ongoing efforts. By the same resolution, the Security Council welcomed the Dar-es-Salaam agreement of 7 March 1993, and urged the Government of Rwanda and RPF to resume the negotiations on 15 March, as agreed.

11. The goodwill mission visited Kampala from 10 to 13 March 1993, and held consultations with President Museveni and with senior officials of his Government, within the framework of the Dar-es-Salaam agreement and resolution 812 (1993). It also met with the representatives of RPF in Kampala. President Museveni welcomed the Dar-es-Salaam agreement and confirmed his willingness to welcome observers on the Ugandan side of the border in order to demonstrate that his country was not providing military assistance or personnel to RPF.

12. The goodwill mission then visited the United Republic of Tanzania from 13 to 15 March 1993. In Dar-es-Salaam, it met with President Mwinyi and senior officials of the Government who briefed them on the role of the United Republic of Tanzania as Facilitator of the Arusha peace process and confirmed that the peace talks would resume in Arusha on 15 March 1993.

13. During its visit to Addis Ababa, from 17 to 19 March 1993, the mission met with Mr. Salim Ahmed Salim, Secretary-General of OAU, to exchange views on cooperation between the United Nations and OAU, within the context of the Dar-es-Salaam agreement and resolution 812 (1993). Mr. Salim recalled that the parties to the Dar-es-Salaam agreement had asked him to extend the mandate of NMOG and to expand it. He informed the mission about the efforts he was making to that end and requested the assistance of the United Nations. Following exchanges of communications on this matter, I sent to Addis Ababa two senior officials with the necessary expertise to provide technical assistance to OAU to finalize a submission to the donor community for the funding of an expanded NMOG [S/25810, *para. 22*].

14. As indicated in my interim report to the Security Council, I sent a technical mission to Uganda and Rwanda, from 2 to 6 April 1993, which was led by my military adviser, Brigadier-General Maurice Baril to gather and evaluate all information relevant to the possible deployment of United Nations military observers on the Rwanda/Uganda border. The technical mission was joined in Uganda by Mr. Macaire Pédanou, the leader of the goodwill mission.

15. On 8 April 1993, I informed the Security Council that, taking into account developments concerning Rwanda, I had decided to strengthen the goodwill mission by the addition of three military advisers [*S/25561*].

II. THE ARUSHA PEACE TALKS

16. The Arusha peace talks, which resumed on 16 March 1993, were successfully concluded on 3 August. The agenda for the negotiations covered military issues, refugees and displaced persons and outstanding political matters including the amendment of the Constitution, as well as the duration of the transitional period. On the military side, the negotiations focused on the composition and size of the new army, including the representation of the armed forces of the Government and those of RPF in the new army. Other issues covered arrangements related to security services including the gendarmerie, demobilization and assistance required from the international community. The two parties also discussed the establishment of an international neutral force for the implementation of the peace agreement.

17. I was represented at the Arusha peace talks in an observer capacity by Mr. Macaire Pédanou, the leader of the goodwill mission. Mr. Pédanou was later joined by a military officer from the Department of Peace-keeping Operations, who provided technical advice on the military aspects of the negotiations.

18. During the meeting of the Assembly of Heads of State and Government of OAU in Cairo in June, I had the opportunity to exchange views with the President of Rwanda and the Secretary-General of OAU on the situation in Rwanda and on the progress of the Arusha talks. We also discussed ways and means of assisting in the peace agreement, following its signature by the parties.

19. The Arusha Peace Agreement, including six protocols, was signed on 4 August 1993 by Major General Juvenal Habyarimana, President of Rwanda, and Colonel Alexis Kanyarengwe, Chairman of RPF. The signing ceremony took place in the presence of Mr. Ali Hassan Mwinyi, President of the United Republic of Tanzania, in his capacity as the Facilitator, Mr. Salim Ahmed Salim, Secretary-General of OAU and Mr. Vladimir Petrovsky, Under-Secretary-General and Director of the United Nations Office at Geneva, who represented me on that occasion. The signing ceremony was witnessed by the Presidents of Uganda and Burundi, the Prime Minister of Zaire, the representatives of the current and former Chairmen of OAU and of the observer countries to the Arusha talks, namely Belgium, Burundi, France, Germany, Nigeria, Uganda, the United States of America and Zimbabwe.

20. In signing the peace agreement, the two parties agreed that the war between them had come to an end and that they would spare no effort to promote national unity and reconciliation. They also agreed that all the six protocols of agreement which they had concluded and signed during the Arusha talks would be attached to the peace agreement, of which they would form an integral part. These documents are:

(*a*) The N'Sele cease-fire agreement of 29 March 1991, as amended in Gbadolite on 16 September 1991 and at Arusha on 12 July 1992;

(*b*) Protocol of Agreement on the rule of law, signed at Arusha on 18 August 1992, which defined the basic principles of Rwandese politics for the future, namely national unity, democracy, pluralism and respect for human rights;

(*c*) Protocols of agreement on power-sharing, signed at Arusha on 30 October 1992 and on 9 January 1993, by which the Government of Rwanda and RPF accepted the principle of sharing political power within the framework of a broad-based transitional Government with the participation of the main political parties;

(*d*) Protocol of agreement on the repatriation of Rwandese refugees and the resettlement of displaced persons, signed at Arusha on 9 June 1993, which defined provisions for the repatriation and resettlement of refugees and displaced persons, as well as arrangements for a donors' conference to be jointly organized by OAU and the Office of the United Nations High Commissioner for Refugees;

(*e*) Protocol of agreement on the integration of the armed forces of the two parties, signed at Arusha on 3 August 1993, which covered, among other things, the size, composition and ratio of the two parties in the new army, as well as the establishment of a neutral international force to oversee the transitional arrangements;

(*f*) Protocol of agreement on miscellaneous issues and final provisions signed at Arusha on 3 August 1993 by which the parties reached agreement on the appointment of the Prime Minister and the transitional period, which was set at 22 months.

III. RECONNAISSANCE MISSION

21. In a communication addressed to me on 3 August 1993 [*S/26295*], President Habyarimana reiterated the request that the Government of Rwanda and RPF had jointly addressed to me on 11 June 1993 to send a reconnaissance mission to Rwanda in order to assess the needs of the proposed international force [*see S/25951*].

22. As envisaged by the two parties, a neutral international force would be deployed in Rwanda to monitor and supervise the cease-fire; secure the continued distribution of humanitarian assistance, and assist in the protection of the expatriate community and in the implementation of the provisions of the peace agreement pertaining to the demobilization and encampment of the belligerent forces, their retraining and integration to form a new national army.

23. In communications I addressed on 11 August 1993, to President Juvénal Habyarimana of Rwanda and the Chairman of RPF, Colonel Alexis Kanyarengwe, I stressed that it was now incumbent on all concerned to observe strictly the provisions of the peace agreement in order to ensure its implementation and to allow the people of Rwanda to advance national reconciliation as well as the rehabilitation and the reconstruction of their country.

24. In a communication addressed to me on 4 August 1993, the Secretary-General of OAU informed me that the mandate of the OAU NMOG, which had been supervising the implementation of the cease-fire agreement signed in Arusha in July 1992, had expired on 31 July 1993. NMOG was being replaced by NMOG II, whose mandate had commenced on 3 August 1993 and whose first contingent had arrived in Rwanda on 31 July 1993. More contingents from several OAU member States were expected to arrive in Rwanda as part of the OAU effort to constitute and deploy an enlarged NMOG as requested by the two parties. Mr. Salim stated that NMOG would continue to operate as an interim measure, pending the deployment of the neutral international force proposed by the parties.

25. I welcomed the decision of Mr. Salim that as an interim measure he would ensure that NMOG would continue to operate, pending a final determination by the Security Council on the establishment of the neutral international force, as well as on its role and responsibilities.

26. Taking into account the communications addressed to me by the President of Rwanda and the Secretary-General of OAU, and in pursuance of paragraph 11 of resolution 846 (1993), I decided to send a reconnaissance mission to Rwanda to make an assessment of the situation on the ground, in order to assist me in making recommendations to the Security Council. The mission, which is composed of officials from concerned departments, is led by Brigadier General Romeo A. Dallaire (Canada), Chief Military Observer of the United Nations Observer Mission Uganda-Rwanda. It arrived in Kigali on 19 August and is expected to stay there for up to two weeks in order to consult with senior officials of the Government and with representatives of RPF on the implementation of the agreement within the framework of resolution 846 (1993). It will also meet with OAU representatives in Rwanda and with the members of its NMOG.

27. As I have indicated earlier, the Government of Rwanda and RPF have called for the establishment of a neutral international force, to facilitate the implementation of the provisions of the peace agreement. The reconnaissance mission will examine the possible functions of such a force and evaluate the human and financial resources that would be needed to carry them out.
In addition to Rwanda, the senior officials of the mission will visit Dar-es-Salaam and Addis Ababa for consultations with the Government of the United Republic of Tanzania and with OAU, which acted as Facilitator and Coordinator, respectively, at the Arusha peace talks.

IV. OBSERVATIONS

28. The signing of the Arusha Peace Agreement has presented the Government of Rwanda and RPF with a political and democratic framework to resolve their conflict. The successful conclusion of the peace process will also provide the people of Rwanda with the opportunity to begin the reconstruction and rehabilitation of their country and would make it possible for nearly 1 million Rwandese refugees and internally displaced persons to return to their homes and to begin the arduous task of rebuilding their lives.

29. The Government of Rwanda and RPF should be commended for concluding the peace agreement. The United Republic of Tanzania's role as Facilitator was crucial to the success of the peace process as was that of the Secretary-General of OAU as Coordinator of the Arusha talks. A number of countries both within and outside the region, most notably Uganda, have also made positive contributions to the process. It is now incumbent on the Government of Rwanda and RPF to abide fully by the letter and spirit of the Arusha Peace Agreement.

30. On the basis of the findings of the reconnaissance mission, I shall submit a report to the Security Council regarding the contribution the United Nations could make to facilitate the implementation of the peace agreement.

DOCUMENT S/26351

Report pursuant to paragraph 5 of Security Council resolution 837 (1993) on the investigation into the 5 June 1993 attack on United Nations forces in Somalia conducted on behalf of the Secretary-General

[*Original: English*]
[*24 August 1993*]

1. In its resolution 837 (1993) of 6 June 1993, the Security Council reaffirmed, among other things, the authority of the Secretary-General to secure the investigation of the actions of those responsible for the armed attacks on 5 June 1993 on United Nations peace-keepers in Mogadishu, including those responsible for publicly inciting such attacks. The Council also requested the Secretary-General to report on the implementation of the resolution.

2. On 14 and 18 June 1993, the Secretary-General presented to the Council reports on actions relating to the 5 June and 12/13 June 1993 incidents in Mogadishu. The Secretary-General informed the Council that a more comprehensive investigation of the 5 June incident was being undertaken.

3. An independent expert, Professor Tom Farer of the American University, Washington, was engaged to carry out the investigation. On 12 August 1993, Mr. Farer submitted his report to the Secretariat. The executive summary of the report is contained in the annex to the present document.[*]

ANNEX

Report of an investigation into the 5 June 1993 attacks on United Nations forces in Somalia by Mr. Tom Farer

1. On 5 June 1993, 24 soldiers serving in Somalia under the United Nations flag were killed in a series of attacks on Pakistani units that began without warning at about 0930 hours and continued relentlessly until the late afternoon. An additional 56 Pakistani soldiers were wounded, of whom 11 were crippled for life. The attacks occurred in the southern sector of Mogadishu, an area the Somali National Alliance (SNA), a political faction led by General Mohamed Farah Hassan Aidid, had long dominated. A number of those killed and wounded were distributing food to Somali citizens at the time they were assaulted. Others were returning from participation in the inspection of an authorized weapons storage site. Still others were ambushed attempting to rescue those initially attacked and to evacuate the wounded, some of whom were bleeding to death on 21 October Road, the scene of the main assault.

2. In a unanimous response, the Security Council adopted resolution 837 (1993) in which the Council reaffirmed the Secretary-General's authority "to secure the investigation of [the] actions [of the responsible parties] and their arrest and detention for prosecution, trial and punishment" and requested the Secretary-General "urgently to inquire into the incident, with particular emphasis on the role of those faction leaders involved."

3. Shortly thereafter, Admiral Jonathan Howe, the Special Representative of the Secretary-General in Somalia, asked me to assume principal responsibility for conducting that inquiry. I accepted the proposal of the Special Representative of the Secretary-General on the basis of one critical understanding: I would have full freedom to conduct an inquiry that was both impartial and as complete as time and the difficult security situation in Mogadishu allowed. The present report[*] is the result of an investigation carried out with the assistance of lawyers on the staff of the United Nations Operation in Somalia (UNOSOM II) and members of the United Nations Office of Legal Affairs. I and my colleagues began this inquiry without any presumptions concerning premeditation or responsibility. We have laboured to accumulate all available evidence and have been united in our determination to follow that evidence wherever it might lead.

4. Paragraph 5 of Security Council resolution 837 (1993) contemplates the prosecution, trial and punishment of those responsible for attacks on UNOSOM II personnel. It does not, however, designate the tribunal before which the evidence gathered by the investigation should be presented, nor does it identify the applicable system or systems of law. Presumably the Council wished to postpone that decision pending completion of the investigation. In doing so, however, it left the investigators in a somewhat anomalous position, for the relevance of facts is a function of the legally defined elements of a crime. Without some appreciation of the crimes to be charged, investigators will find it difficult to establish rational limits to their inquiries.

5. Precisely in order to establish some limits, my colleagues and I decided to look to one national legal system and to international law for rules of criminal responsibility relevant to the events of 5 June and succeeding incidents. The State with the most indisputable claim under generally recognized jurisdictional principles to have its laws apply is Somalia, since the events occurred there and most, if not all, of the prospective defendants are Somali nationals. Under Somali law, the evidence produced to date could give rise to a variety of charges under the 1962 Somali Penal Code, which has never been revoked. The charges would fall within one or more of the following broad categories: crimes by individuals against the public administration, crimes against public order, crimes endangering public safety by force, and crimes against the life and safety of the individual. Persons who planned or executed the attacks of 5 June would be guilty of at least 10 specific crimes within these categories ("force or threats to a political, administrative or judicial body" to "carnage", "murder" and "seizure of a person").

6. With respect to international law, under the Nurnberg Principles, applied by the Allied Powers after World War II and subsequently reaffirmed by a unanimous General Assembly, individuals are subject to penal sanctions for conspiracy to commit and the commission of crimes against peace, crimes against humanity and violations of international humanitarian law. As originally defined to fit the circumstances of the world war's atrocities, the crimes implied authors acting in the name of some sort of public authority. But in the years since Nurnberg, the emergence of internationally protected human rights, together with exponential growth in the interdependence of societies and in the vulnerability of public interests to conspiracies by private actors, has required an extension of international criminal law to include them. Thus private persons who attack international commercial aircraft or conspire to exterminate some ethnic group (i.e., to commit genocide) are international criminals even if they are unconnected with any Government.

7. No act could by its very character more perfectly exemplify an international crime than the use of force against United Nations soldiers to prevent them from carrying out their responsibilities. Such use of force is a plain challenge to the ability of the United Nations to maintain international peace and security and hence to that minimum order on which all other collective human interests depend. Hence, in order to find that an international crime was committed in the instant case, it is unnecessary to decide whether the persons who organized, planned, approved or executed the attack of 5 June constituted a de facto authority in a part of Somalia or simply a group of private persons intent on frustrating performance of a Security Council mandate.

8. The one other clearly premeditated action against the United Nations in Somalia that occurred between 5 June and the conclusion of this inquiry was the 13 June attack on the Kilometer Four strong point in south Mogadishu, which resulted in extensive casualties to Somali citizens. It appears possible that the assailants deliberately fired on civilians in order to produce bodies for the international media. At a minimum there is strongly persuasive evidence of an intention to draw defensive fire from United Nations positions that would inevitably result in such casualties. [*See pages 90 to 96 of the complete report*]. Under either hypothesis about what occurred, a tribunal could find a violation of principles of international humanitarian law.

9. Whether the case falls under the precise terms of the Geneva Conventions of 1949 is not determinative. It is not even important. The Conventions were designed to cover inter-State wars and large-scale civil wars. But the principles they embody have a wider scope. Plainly a part of contemporary international customary law, they are applicable wherever political ends are sought through military means. No principle is more central to the humanitarian law of war than the obligation to respect the distinction between combatants and non-combatants. That principle is violated and criminal responsibility thereby incurred when organizations deliberately target civilians or when they use civilians as shields or otherwise demonstrate a wanton indifference to the protection of non-combatants. I believe that principle was violated on 13 June.

10. As we sought to identify the persons responsible particularly for the 5 June attacks, my colleagues and I accumulated and analysed both circumstantial and other forms of evidence bearing on the issues of opportunity, means and motive. As a practical precondition for illuminating the issues of means and opportunity, it was necessary to decide whether, as alleged by General Aidid, the virtually coincident attacks launched on 5 June could plausibly be read as the spontaneous response of Somalis in south Mogadishu to the shooting of a Somali national in front of Radio Mogadishu at about 0930 that morning. By themselves, the raw circumstantial facts render that claim implausible. [*See pages 21 to 41 of the complete report*.]

11. On the morning of 5 June, Pakistani forces were attacked almost simultaneously in places scattered all across southern Mogadishu: at Brigade headquarters in the National Soccer Stadium, at two feeding stations and at several strong points, as well as at key points along streets connecting these places. But the principal assault fell on Pakistani troops at checkpoint 89 on 21 October Road. Various features of that assault testify powerfully to premeditation. One was the existence of what is known in standard infantry

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[*] The full report, together with its annexes, is available for consultation in the office of the Under-Secretary-General for Peace-keeping Operations.

doctrine as a "killing zone". The zone is an area in which troops, narrowly confined by natural or man-made obstacles, are subjected to concentrated fire. A second was the nature of the obstacles in this case, namely sequential roadblocks, which were strengthened as the day progressed. A third telling feature of that assault was the firing discipline manifested by the attackers. For instance, initially all the assailants seemed to be located on the south side of the road. Gunmen who had positioned themselves on the north side remained hidden and silent until soft-sided trucks loaded with reinforcements entered the zone, at which point they opened a deadly crossfire.

12. Flank protection was another sign of careful planning. Pakistani units attempting to relieve the pressure at the heart of the killing zone by working their way around behind the elevated structures occupied by the assailants quickly ran up against waiting snipers who repulsed them. A fifth significant feature of the attack was the armament employed, including heavy machine-guns and anti-tank weapons (specifically rocket-propelled grenades (RPGs)). While AK-47s and other small arms are widely and readily available in all parts of the city, 50-calibre machine-guns and RPGs are not. Nor are the munitions they fire, which are, moreover, relatively heavy. Not only were such weapons employed, they were employed in and on the roof of the several multistory structures dotted around checkpoint 89 and so situated that accurate fire could be initiated as soon as substantial forces were in the killing zone.

13. A sixth feature was the assailants' sophisticated use of locations and camouflage: the shooters rarely exposed themselves, some appeared to flit from window to window, a number of the gun barrels that could be seen were covered with a greenish gauze. A seventh and particularly significant feature of the incident was its duration: the gunmen were able to sustain a withering fire from heavy as well as light weapons from mid-morning to late afternoon, over five hours. At no point did the rate of fire indicate any shortage of ammunition. Yet the Pakistani company trapped at checkpoint 89 found itself running short of ammunition well before the end of the attack, even though it was carrying a full complement and, moreover, because it was pinned down and had difficulty identifying targets it maintained a much lower rate of fire. Only careful pre-attack stocking of the ambush site or a prearranged system for resupplying the Somali attackers can plausibly explain the amplitude of their munitions.

14. The combined weight of these elements by itself flattens the claim of a spontaneous attack. And in considering the weight of the circumstantial evidence, they must be added to the near simultaneous attacks occurring elsewhere in south Mogadishu. People suddenly driven by overwhelming emotions do not normally construct roadblocks at peculiarly appropriate places or shrewdly calculate the best points at which to place heavy machine-guns in order to block even armoured vehicles from relieving besieged troops. Yet this is precisely what occurred on 5 June.

15. The eloquent testimony of premeditation implicit in the raw facts of 5 June leads ineluctably to three questions: (*a*) Who had foreknowledge of the movements of Pakistani contingents on 5 June? (*b*) Who had the authority to deploy the gunmen required to carry out that day's assaults? (*c*) Who had strong and rational incentives for the assault? Who, in other words, had the opportunity, the means and the motive to perpetrate this crime? A large and complex body of evidence leads ineluctably to the conclusion not simply that General Aidid had the requisite means, motive and opportunity, but that he had that trinity uniquely.

16. With regard to opportunity [*see pages 49 to 71 of the complete report*], on the afternoon of 4 June, UNOSOM officers officially informed Mohamed Hassan Awale Qaibdid, one of General Aidid's closest associates, that designated weapons sites would be inspected on the following day. He responded by stating that the inspections must not be performed and that, if they were, it would lead to "war". On the morning of 5 June, another Aidid confidante, Mr. Osman Atto, openly conceded foreknowledge of the outbreak of violence. While no one testified that the General had been informed by Qaibdid, it is grossly implausible that a matter which Qaibdid deemed so full of consequence would not be reported immediately to the man who was Chairman of SNA and its military leader, who was in Mogadishu and who resided and conducted business in a compound that was only a few moments' drive away from Qaibdid's. Furthermore, the uniform experience of persons from both the official international and the non-governmental communities who have had to negotiate with SNA was that high SNA officials, including Mr. Atto, either could not or would not take decisions on matters of any consequence without submitting them to the General for his approval. To believe that in this instance he was not informed and that his subordinates would have taken it upon themselves to start a war with the United Nations requires an exercise in wilful credulity.

17. Concerning means [*see pages 42 to 49 of the complete report*], on 5 June General Aidid was the unchallenged political and military leader of the Habre Gidr clan, which was credited by UNOSOM intelligence with a readily deployable militia of some 500 men. Since clansmen of military age number in the many thousands, the clan is the principal focus of personal loyalty for Somalis and most Somali men have some experience in the handling at least of small arms, the numbers potentially deployable by the acknowledged leader of the clan was no doubt greater than the UNOSOM estimate of persons under arms. Estimates by UNOSOM officers of the minimum number of fighters required to carry out the ambushes of 5 June vary from under 50 to 200. Taking the highest of these estimates, it is clear that even if the forces immediately available to SNA were only half what the UNOSOM Force Command had estimated, they would still have provided General Aidid with more than sufficient means.

18. Like other militia, and consistent with the experience of UNOSOM from 5 June to this day, SNA had access to automatic rifles, hand grenades, light and heavy machine-guns and RPGs. In its largest acknowledged weapons storage site, SNA had huge stocks of ammunition, as well as recoilless rifles and other heavy weapons. Since the sites had been established voluntarily by the armed factions after the arrival of and without any prior audit by the Unified Task Force (UNITAF), UNOSOM officials had no basis for determining what proportion of weapons and ammunition originally held by the factions had been deposited in the sites. Moreover, since the sites were entirely under the control of the factions, they could move material in and out at will. Assuming that the one UNITAF audit, effected after the sites were established, was accurate, then the discrepancies between it and the 5 June audit report of the UNOSOM inspectors indicate that at least the SNA sites functioned more as convenient entrepôts for weapons than as their prisons.

19. With regard to motive [*see pages 71 to 90 of the complete report*], in the case of General Aidid, means and opportunity coincided with ample motive. Simply by being in place as the dominant military force in the country, UNOSOM reduced the influence of those political leaders, General Aidid eminent among them, who had hitherto disposed of substantial forces. While UNOSOM remained in place, guns would no longer trump all other sources of influence. And to the extent UNOSOM succeeded in substantially disarming the warlords, they could not look forward to playing their trump after UNOSOM departed. The weapons site inspections of 5 June were an important step in that disarmament process.

20. The General's influence also was threatened by UNOSOM's incipient effort to re-establish a formal judicial system and a neutral police force, i.e. a functioning system of justice. An official judicial system would undermine the de facto political order the General had imposed on south Mogadishu. In conjunction with disarmament, the new police force would, as it grew and consolidated, spell the end of informal systems of domination. In addition, a largely fortuitous conjuncture of events may have added subjective grievance to the objective conflict between the General's interests and UNOSOM's mandate.

21. General Aidid could rationally have concluded that, by demonstrating his ability to turn Mogadishu into a zone of grave insecurity, he could force UNOSOM to alter its programmes so that they were compatible with his bid to play a, and probably the, leading political role in a reconstituted Somalia. He could have hoped, at a minimum, to force UNOSOM to negotiate every programme with him as if he were the formal independent political authority over half the country's capital and other territory where the Habre Gidr clan or its allies predominated. And, as a maximum goal, he could rationally have hoped so to increase the costs of the United Nations operation particularly for certain key national contingents as to trigger the operation's premature termination.

22. The corresponding risks may well have appeared acceptable. His experience with UNOSOM I could have encouraged miscalculation. Operating with only 500 troops shackled by the rules of engagement hitherto deemed appropriate for a Charter Chapter VI mandate, UNOSOM I had been passive in the face of extortionate activities by SNA and other militia. Aidid's calculations of risk could also have been influenced by the passivity of United Nations forces in the former Yugoslavia. The General is, after all, a well-travelled man familiar with international relations. He attended military academies in Italy and the former Soviet Union and was for some years the Somali Ambassador to India.

23. The circumstantial evidence of means, opportunity and motive, powerful in itself, does not stand alone. It is buttressed by the testimony of a credible witness who appears to have had direct access to the General both before and after 5 June. The witness testifies to being present when General Aidid

congratulated members of SNA for the 5 June ambush. If even that was not enough, the case against the General is further reinforced, indeed would appear to be clinched, by an essentially self-authenticating document, a memorandum addressed to the General (and to his chief of security, Mr Qaibdid) that summarizes the results of the interrogation of one of the five Pakistani soldiers taken prisoner on 5 June and subsequently turned over to Italian authorities by SNA officials. The information in this document, retrieved by UNOSOM soldiers from the house used as an office and residence by Mr Qaibdid, is relevant only to the conduct of future military operations. Hence it strongly implies belief by the senior officials of SNA that they were at war with UNOSOM II. That belief would be baseless unless SNA had launched the 5 June assault.

CONCLUSIONS

24. The claim that General Mohamed Farah Hassan Aidid authorized the 5 June attack on Pakistani forces serving under the United Nations flag and that the attack was executed by elements of the political faction known as SNA is supported by clear and convincing evidence.

25. The attack of 5 June violated multiple provisions of the 1962 Somali Penal Code, which has never been repealed. It also constitutes a violation of international law and thus makes General Aidid and his senior colleagues liable to prosecution before an international tribunal or the criminal courts of any State.

26. The central principle of international humanitarian law - the obligation to respect the distinction between combatants and non-combatants - is violated and criminal responsibility thereby incurred when individuals or organizations use civilians as shields for military operations or otherwise demonstrate a wanton indifference to the protection of non-combatants. There is sufficient evidence to make out a *prima facie* case that the 13 June attack on the Pakistani strong point at the Kilometer Four roundabout in south Mogadishu was consciously designed by persons associated with SNA to cause the wounding or killing of non-combatants.

DOCUMENT S/26352

Report of the Secretary-General

[*Original: English*]
[*25 August 1993*]

1. The Governors Island Agreement, signed by the President of the Republic of Haiti, Reverend Father Jean-Bertrand Aristide, and the Commander-in-Chief of the Haitian Armed Forces, General Raoul Cédras, provides in point 5 for "assistance for modernizing the Armed Forces of Haiti and establishing a new police force with the presence of United Nations personnel in these fields" [*S/26063, para 5*].

2. As I indicated in paragraph 14 of my report to the Security Council dated 12 July 1993 [*S/26063*], it was my intention, following consultations with the Constitutional Government of Haiti, to put forward recommendations to the Council concerning United Nations assistance in the modernization of the Armed Forces as well as in the establishment of a new police force. In his letter to me dated 15 July 1993 [*S/26085*], the President of the Security Council informed me of the Council's readiness to take urgent action in this regard upon the presentation of my proposals. Pursuant to the receipt of President Aristide's letter of 24 July 1993 [*S/26180, annex*], I am now in a position to make the pertinent recommendations for the consideration of the Security Council. These recommendations, which are set forth below, are based on advice from Mr. Dante Caputo, the Special Envoy of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States (OAS), who has discussed them with the Constitutional Government. The "Friends of the Secretary-General for Haiti", namely Canada, France, the United States of America and Venezuela, have also made a valuable contribution in defining the recommendations in the present report.

Assistance in the police sector

3. Although the Haitian Constitution provides for a police force separate from the Armed Forces, at the present time the responsibilities of the Armed Forces of Haiti include both military and police functions. In accordance with point 7 of the Governors Island Agreement, and paragraph 4 of the New York Pact of 16 July 1993 [*S/26297, annex*], a law is to be adopted, on the basis of an emergency procedure, to establish a new police force. Point 5 of the Governors Island Agreement calls for the presence of United Nations personnel to assist in its establishment. Pending the creation of the new force, President Aristide's letter of 24 July 1993 requested the United Nations to provide advice and assistance for the purpose of improving the functioning of the existing security forces, with particular reference to respect for human rights.

4. It is recalled that, at the request of President Aristide, an International Civilian Mission jointly staffed and funded by the United Nations and OAS was established in Haiti in February 1993 with the task of verifying respect for human rights and the eradication of all forms of violence. The civilian police personnel whose deployment in Haiti is recommended in accordance with the arrangements outlined below would benefit from the experience and information already obtained by the Mission in Haiti and would coordinate their activities as appropriate with that Mission, whose strength has now reached nearly 200 deployed throughout Haiti.

5. Pending adoption of the necessary legislation for the creation of the new police force, including the appointment of a Commander-in-Chief of the Police by the President of Haiti, in accordance with the procedure set up in article 141 of the Haitian Constitution, United Nations civilian police would assist the Government in monitoring the activities of those members of the Armed Forces who are currently carrying out police functions. These civilian police would be known as United Nations police monitors. They would establish liaison at all levels of the Haitian police force in order to provide guidance and advice, monitor the conduct of police operations and ensure that legal requirements are met and police actions correctly executed.

6. The police monitors would strengthen the international presence in Haiti, demonstrating the international community's commitment to the restoration of democracy in that country. Their deployment would also help to discourage civil unrest during the delicate process of implementing the Governors Island Agreement and the political accords contained in the New York Pact. This process has already begun and their deployment should start immediately after the new Prime Minister takes office [*see S/26180, enclosure*].

7. In consultation with the Government of Haiti, the United Nations would, at a later stage, assist in the establishment of a Police Academy and in the training of a new generation of police officers there. As police officers of the new civilian police organization assume their responsibilities, the United Nations police monitors would be progressively phased out.

8. For the purposes described above, it is estimated that a total of 567 United Nations police monitors will be required.

9. In order to perform their duties, the United Nations police monitors would require access to all information on the deployment of all personnel charged with civilian police functions, including control of civil disturbances, and would need to enjoy complete freedom of movement throughout Haitian territory.

10. The United Nations police monitors would also be entitled to hold discussions freely and confidentially with any person or group, including members of the Armed Forces performing police functions, of the new Haitian police force, of the Ministry of Justice

and of other relevant components of the Haitian judicial system and to collect any information deemed relevant.

11. The police monitors would be entitled to submit recommendations regarding particular cases or situations and to make inquiries with the appropriate authorities regarding those recommendations. They would also institute a programme of information and education aimed at explaining the tasks entrusted to them and promoting an understanding of, and respect for, the new civilian police force.

Assistance for the modernization of the Armed Forces

12. As proposed in President Aristide's letter of 24 July 1993, it is further recommended that the United Nations provide assistance for a military modernization programme in the form of training teams and a unit of construction engineers. The training teams would consist of 12 trainers per team, with an average of 60 trainers being present in Haiti at any given time. The teams would be rotated frequently as training in one subject was completed and training in another began.

13. The teams would provide training in non-lethal skills for officers and non-commissioned officers, at the general staff, regional and unit levels. The programme would be phased to meet training requirements determined through coordination between the Chief of the United Nations Mission and the Government of Haiti. Its purpose would be to train Haitian soldiers in skills relevant to what will become their primary missions in accordance with article 266 of the Haitian Constitution as responsibility for internal security is transferred from the Armed Forces to the new civilian police force. It would thus include the development of military engineering capability (e.g. road-building, well-drilling) and skills in areas such as disaster relief, search and rescue, and surveillance of borders and coastal waters.

14. As a foundation for this training, the United Nations would work with the Haitian Government to develop a modern code of conduct, reform the military justice system, and improve the effectiveness of the Inspector General of the Armed Forces.

15. In addition to the training programme, a military construction unit, with a strength of approximately 500 all ranks, would be deployed to work with the Haitian military to carry out construction projects relevant to the modernization of the military and of benefit to the civilian population. These projects have been designed, in consultation with the Haitian Government, to give military personnel on-the-job training in relevant construction and engineering skills. They include:

(*a*) The construction of new barracks;

(*b*) The conversion to civilian use of military facilities no longer required by the Armed Forces in execution of their newly defined mission;

(*c*) The renovation of medical facilities;

(*d*) The repair of roads and drilling of wells in rural areas.

These projects would be completed within six to eight months. Additional projects might be developed if such was the wish of the Haitian Government.

United Nations Mission in Haiti

16. The tasks described above would be carried by the mission to be known as "United Nations Mission in Haiti". This Mission would be under the command of the United Nations, vested in the Secretary-General under the authority of the Security Council. It would be headed in the field by a Special Representative of the Secretary-General, namely the Special Envoy who already oversees the activities of the International Civilian Mission and who would coordinate the activities of the two missions. The Special Representative would report to the Secretary-General on the United Nations Mission in Haiti. The civilian police component would be headed by a Police Commissioner reporting to the Special Representative. The military component, consisting of military trainers and a unit of construction engineers, would be headed by a Commander who would also report to the Special Representative.

17. As regards the concept of operations, the United Nations Mission in Haiti would establish its headquarters in Port-au-Prince and sub-headquarters in different parts of the country as required for its operations. In order to carry out its functions, the Mission would, as already noted, need to have freedom of movement and communication and enjoy the other rights that would be necessary for the performance of its task. Its personnel would also have to be granted all relevant privileges and immunities under the Convention on the Privileges and Immunities of the United Nations. Should the Security Council decide to establish the Mission, it would be my intention to initiate consultations with a view to concluding a status-of-mission agreement along the usual lines.

18. The personnel for the civilian police and military components of the Mission would be provided by the Governments of Member States at the request of the Secretary-General. They would use their national uniforms, with United Nations headgear and accoutrements, and would carry side-arms for their own protection.

19. I shall, as soon as possible, submit, in an addendum to the present report, a statement on the financial and administrative implications of the Mission described above, the costs of which are provisionally estimated at approximately US$ 37 million for an initial period of six months.

20. On the basis of the present report, the Security Council is recommended to authorize the establishment and immediate dispatch, as soon as the conditions set up in the Governors Island Agreement are met, of the United Nations Mission in Haiti for an initial period of six months. The duration of the Mission would be subject to periodic review, in the light of the progress achieved in the restoration of democracy in Haiti.

DOCUMENT S/26356

Letter dated 25 August 1993 from the representative of Malaysia to the President of the Security Council

[*Original: English*]
[*25 August 1993*]

I am pleased to transmit to you herewith the text of the statement that my delegation had intended to deliver during the deliberations of the Security Council at its 3269th meeting on the situation in the Republic of Bosnia and Herzegovina.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) REDZUAN M. Kushairi
Chargé d'affaires a.i.
of the Permanent Mission of Malaysia
to the United Nations

TEXT OF THE STATEMENT

Allow me at the outset to join the previous speakers in extending my delegation's congratulations to you as President of the Security Council for the month of August. I would also like to take this opportunity to express our appreciation to you for the recent initiative that you have taken to bring about greater transparency in the work of the Council. We are also encouraged by your commitment to having more consultations with the general membership from time to time on matters relating to the work of the Council. All this is a positive response to the wishes of the wider membership and in line with the ongoing reform of the United Nations.

As an active member of the Movement of Non-Aligned Countries and the Organization of the Islamic Conference contact group on Bosnia and Herzegovina, Malaysia fully supports the draft resolution before the Council [*S/26182*]. The Malaysian delegation commends the Non-Aligned Caucus for having played a constructive role on Bosnia and Herzegovina in the Council.

The Non-Aligned Caucus initiated this draft resolution some three to four weeks ago, and requested its urgent consideration by the Council because of the deteriorating situation in Bosnia and Herzegovina and the critical stage of the peace negotiations in Geneva. The Malaysian delegation regrets the considerable time taken before the Council could agree to hold a formal meeting on this extremely urgent issue. This is a very serious matter, especially when the Council's record on Bosnia and Herzegovina has been far from satisfactory. The Council has not lived up to its full responsibility under Article 24 of the Charter while Bosnia and Herzegovina is denied its inherent right to individual or collective self-defence under Article 51 of the Charter. We are afraid that this could have serious ramifications for the future that go beyond the conflict in Bosnia and Herzegovina.

There is really no reason why this draft resolution should not have been taken up earlier, because it has only two main objectives to which, in the Malaysian delegation's viewpoint, it seems inconceivable for any member of the Council to object. First, it is aimed at bringing about a cease-fire and the cessation of hostilities, a prerequisite for any serious, fair and meaningful peace negotiations. Secondly, it outlines the framework principles for the peace negotiation in accordance with the principles of international law, the Charter of the United Nations and the London Peace Accords. It should not be portrayed as a move at interfering in the negotiating process but, on the contrary, an attempt to assist the peace mediators and the parties involved in the negotiations. I should add that there are also a number of relevant Security Council resolutions, adopted under Chapter VII of the Charter, which must be adhered to by the negotiators as well as the mediators.

At the 3247th meeting of the Security Council on 29 June 1993 to consider the situation in Bosnia and Herzegovina, Malaysia had already warned about the danger of renewing a negotiating process that would lead to the abandonment of the Vance-Owen plan in favour of a framework based on the Milosevic-Tudjman proposal to partition Bosnia and Herzegovina. In the first place, Malaysia has always maintained that diplomacy, no matter how creative, cannot secure a just and equitable peace without the threat of a counter-force from the United Nations Security Council against the aggressors. Those who believe otherwise are either dreamers or they actually subscribe to a policy of appeasement, couched in terms of circumstances and certain realities. The reports of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia dated 6 and 20 August 1993 respectively [*S/26260 and S/26337*], have done little to assuage our fears that the mediators are pursuing peace at the expense of the victims of aggression and genocide, namely the Bosnian Muslims, and contrary to the principles of the Charter, international law, the London Peace Accords and the relevant Security Council resolutions. The peace plan forwarded by the mediators does not measure up to the principles of equity and justice. It rewards Serbian aggression and genocide through ethnic cleansing. The legal standing of the mediators and the stand they have taken with regard to the peace plan are therefore in question. Malaysia believes that this is a very serious situation that must be fully deliberated by the Security Council and the General Assembly. It should also be considered by the International Court of Justice in the context of the current case being presented to it by the Government of Bosnia and Herzegovina.

The Malaysian delegation would also like to take this opportunity to appeal to the Council, pending the realization of this resolution, to implement promptly and fully the provisions of Security Council resolution 770 (1992) on humanitarian assistance and resolution 836 (1993) on the six safe areas in Bosnia and Herzegovina, which allow for the use of all necessary means. The six safe areas should be made truly safe as envisaged in resolution 836 (1993). The present conditions in the safe areas are not acceptable. In many ways they are worse than open prisons when their populations, numbering hundreds of thousands of innocent and helpless civilians, including women and children, are denied food and basic essential services and subjected to a campaign of terror by the Serbian forces. Air power must be brought to bear on those forces who are laying siege and obstructing United Nations humanitarian relief supplies from reaching the victims.

In this connection, the Malaysian delegation is concerned by the remarks made by certain senior United Nations Protection Force officers who seemed so insensitive to the sufferings of the people in the safe areas who, by any decent interpretation, continue to live under siege in the most inhumane conditions. If the Secretary-General is unable to act for some reason, the time has come for the Council to take charge of the situation and not allow loose remarks to be made by United Nations officials, ironically the very people entrusted by the international community to protect the victims of aggression and genocide. On our part, the Malaysian Government is making all necessary preparations to deploy as soon as possible its contingent as part of the United Nations peace-keepers in the designated United Nations safe areas in Bosnia and Herzegovina.

The situation in a number of civilian-populated centres in Bosnia and Herzegovina such as Mostar and Brcko is also fast deteriorating. To save thousands of lives there, the Council should also consider designating these towns as United Nations safe areas. The United Nations should respond promptly and positively to the appeal made by the Government of Bosnia and Herzegovina for the reopening of the Tuzla airport, larger and better equipped than Sarajevo airport, to facilitate humanitarian relief efforts. Airdrops should begin for the people of Mostar and force, air power in particular, should be used if necessary to break the Bosnian Croat siege of the Bosnian-Muslim-populated part of Mostar, as provided for in resolution 770 (1992).

DOCUMENT S/26357*

Letter dated 25 August 1993 from the representatives of Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan to the Secretary-General

[*Original: Russian*]
[*27 August 1993*]

On instructions from our Governments, we have the honour to transmit the text of a statement addressed to you by the Ministers for

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* Circulated under the double symbol A/48/347-S/26357.

Foreign Affairs of the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan, which was adopted at the joint meeting of the Ministers for Foreign Affairs and Ministers of Defence of the States members of the Commonwealth of Independent States, held in Moscow on 24 August 1993.

We should be grateful if you would have this letter circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) A. ARYSTANBEKOVA
Permanent Representative of the
Republic of Kazakhstan to the
United Nations

(*Signed*) D. ATABEKOV
Permanent Representative of the
Kyrgyz Republic to the
United Nations

(*Signed*) Y. VORONTSOV
Permanent Representative of the
Russian Federation to the
United Nations

(*Signed*) L. KAYUMOV
Permanent Representative of the
Republic of Tajikistan to the
United Nations

(*Signed*) F. MAQSUDI
Chargé d'affaires a.i.
of the Permanent Mission of
the Republic of Uzbekistan
to the United Nations

STATEMENT DATED 24 AUGUST 1993 FROM THE MINISTERS FOR FOREIGN AFFAIRS OF KAZAKHSTAN, KYRGYZSTAN, THE RUSSIAN FEDERATION, TAJIKISTAN AND UZBEKISTAN TO THE SECRETARY-GENERAL

We have the honour to inform you that at the joint meeting of the Ministers for Foreign Affairs and the Ministers of Defence of the States members of the Commonwealth of Independent States, held in Moscow on 24 August 1993, the question of measures for the normalization of the situation on the Tajik-Afghan frontier was discussed. An agreement on the establishment of coalition defence forces in the Republic of Tajikistan and joint measures for their logistical support, as well as regulations for the joint command of the coalition defence forces, were concluded and initialled. These documents will be submitted for approval by the heads of State at the summit meeting of the States members of the Commonwealth of Independent States in Moscow on 7 September 1993.

The additional measures being taken by our States should help to promote a speedy stabilization of the situation in Tajikistan, and are consistent with the relevant Security Council decisions regarding this matter and with the steps you have taken in support of the normalization of the situation in that country.

We view the establishment of coalition defence forces as a regional arrangement concluded in accordance with the purposes and principles of Chapter VIII of the Charter of the United Nations.

We request you to bring the above information to the attention of the Security Council, and to take it into account in your future activities in connection with the discussion of this problem in the United Nations. It is our hope that the agreement on coalition defence forces, the text of which will be sent to you upon its entry into force, will be supported by the United Nations as a contribution by our States to the maintenance of peace and security in this important region.

(*Signed*) E. KARABAEV
Minister for Foreign Affairs
of the Kyrgyz Republic

(*Signed*) K. TOKAEV
First Deputy Minister for
Foreign Affairs of the
Republic of Kazakhstan

(*Signed*) A. KOZYREV
Minister for Foreign Affairs
of the Russian Federation

(*Signed*) R. ALIMOV
Minister for Foreign Affairs
of the Republic of Tajikistan

(*Signed*) S. SAIDKASIMOV
Minister for Foreign Affairs
of the Republic of Uzbekistan

DOCUMENT S/26358*

Security of United Nations operations: report of the Secretary-General

[*Original: English*]
[*27 August 1993*]

I. INTRODUCTION

1. On 31 March 1993, the President of the Security Council made a statement on behalf of the Council [*S/25493*] in the context of its examination of my report "An Agenda for Peace" [*S/24111*]. In that statement the Council addressed the question of the safety of United Nations forces and personnel deployed in conditions of strife in connection with a Security Council mandate. The Council also requested me to report as soon as possible on the existing arrangements for the protection of United Nations forces and personnel and their adequacy, taking into account, *inter alia*, relevant multilateral instruments and status-of-forces agreements concluded between the United Nations and host countries, as well as comments from Member States, and to make such recommendations as I considered appropriate for enhancing the safety and security of United Nations forces and personnel. The present report is submitted in response to that request by the Council.

2. At its forty-seventh session, the General Assembly adopted resolution 47/72 of 14 December 1992, which deals with the protection of peace-keeping personnel. The present report is therefore being circulated to the General Assembly for information. I would also draw the attention of Member States to General Assembly resolution 47/120 of 18 December 1992, which notes the mutually supportive aspects of humanitarian and peace-keeping operations and calls for strengthened capacity and coordination in that respect. Finally, the recent report of the Special Committee on Peace-keeping Operations[17] contains pertinent recommendations with regard to security.

3. As is the case with other activities carried out by organizations of the United Nations system, United Nations forces and other operations mandated by the Security Council are normally deployed only with the consent of the host Government and, as appropriate, with undertakings of cooperation by other parties. While United Nations military forces have means of protection and are authorized to use their weapons in self-defence, they often include sizeable civilian components or operate side by side with civilian United Nations personnel who are unarmed, as are United Nations military observers. In short, many categories of United Nations personnel are at risk. It is thus not practical nor desirable to make a categorical distinction between personnel acting under a mandate of the Security Council and others acting under other mandates. Thus, the issues raised in the present report apply, *mutatis mutandis*, to all categories of personnel associated with the work of the United Nations.

II. PRESENT SECURITY SYSTEM

4. The primary responsibility for the safety of United Nations personnel and their dependants rests with the host Government. This responsibility flows from every Government's normal and inherent

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* Circulated under the double symbol A/48/349-S/26358.

function of maintaining order and protecting persons and property within its jurisdiction. Under Article 105, paragraph 1, of the Charter, the United Nations is entitled to enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly in its resolution 22 (I) A of 13 February 1946, contains detailed provisions on the privileges and immunities of the Organization, representatives of Member States, officials of the United Nations and experts on mission for the United Nations. The Convention on the Privileges and Immunities of the Specialized Agencies, approved by the General Assembly in its resolution 179 (II) of 21 November 1947, covers similar matters with regard to the specialized agencies.

5. The risk to United Nations personnel is particularly acute in times of civil disorder and domestic strife when the capacity of host Governments to provide protection may be greatly diminished. In order better to meet such crises, a set of rules and procedures was instituted in 1980 on an inter-agency basis and revised in 1991. For security reasons, the detailed procedures are kept confidential.

6. Under these arrangements, the responsibility for the coordination of all security matters rests with the Secretary-General, who has appointed a United Nations Security Coordinator to act on his behalf. At present, the Security Coordinator is the Under-Secretary-General for Administration and Management. Each organization of the United Nations system has appointed an official responsible for liaison with the Security Coordinator. In the field, a senior United Nations official is appointed in each country to serve as designated official for security. This person has overall and special responsibility for the security and protection of personnel of the organization. In that regard, he/she is directly accountable to the Secretary-General. In many countries, the resident representative of the United Nations Development Programme (UNDP) is given this responsibility. Where there are other, larger United Nations offices, such as regional commissions or peace-keeping operations, the officer in charge of the office or operation is appointed designated official.

7. The designated official is advised by a security management team, and usually appoints area coordinators to deal with security matters away from the capital city. A field security officer may be assigned to assist the designated official. In addition, wardens are appointed at the local level to ensure implementation of security measures.

8. The primary management tool for security preparedness at any duty station is the country-specific security plan. Written in conformity with established procedures and subject to the approval of the Security Coordinator, it defines the responsibilities of each person at the duty station, the actions to be taken and the sequence to be followed. The plan is updated as necessary to reflect changing conditions and it may contain several options for various contingencies.

9. Under the current arrangements, the Organization's response to threats to its personnel's safety has been divided into five phases, as follows:

Phase One is precautionary; travel to the area requires prior clearance by the designated official.

In *Phase Two* all personnel and their dependants are restricted to their homes unless otherwise instructed. All movement is severely restricted and has to be specifically authorized by the designated official.

In *Phase Three* the following measures may be taken: concentration of personnel and their dependants at sites that are deemed safe; relocation to other parts of the country; relocation of dependants and non-essential personnel outside the country.

In *Phase Four* programmes are suspended and personnel not directly concerned with emergency or humanitarian relief operations or security matters are evacuated;

In *Phase Five* all personnel are evacuated except those required for Security Council-mandated activities related to the maintenance of international peace and security.

Phases One and Two may be declared by the designated official. The subsequent phases and measures will normally only be implemented after authorization has been obtained from the Secretary-General.

10. The above system applies, with some variation, to a broad range of individuals connected with the work of the Organization, including:

(*a*) All persons employed by the Organization and their recognized dependants, except for those persons who are both locally recruited and paid by the hour;

(*b*) Consultants, officials or experts, including transient personnel on mission for the organizations of the United Nations system;

(*c*) United Nations Volunteers and their recognized dependants as well as United Nations fellows.

In addition to the above, the Organization may, to the extent possible, lend assistance on a reimbursable basis to other individuals. These may include persons attending a meeting sponsored by the Organization, those international personnel working cooperatively with the Organization as members of non-governmental or other voluntary organizations, with subcontracted projects, or with certain bilateral technical assistance groups with which the Organization has entered into a special agreement.

11. Security arrangements are intended to cover all personnel, except that locally recruited personnel and their dependants are not normally evacuated unless their security is endangered as a direct consequence of their employment by an organization of the United Nations.

12. It is apparent that the above system, which is oriented towards civilian personnel engaged in normal peacetime activity, cannot accommodate peace-keeping operations, which are often deployed in situations where other activities have to be suspended. Therefore, peace-keeping personnel remain under the exclusive jurisdiction of their chief of mission. However, there is considerable overlap and, as noted above, the chief of a peace-keeping mission may be appointed designated official. When this is not the case, peace-keeping operations maintain close coordination and cooperation with the designated official and will normally take all necessary action in the various phases listed above to the extent that it is compatible with their continued functioning. Naturally, all peace-keeping operations have contingency plans for the suspension of operations and evacuation, should this become unavoidable.

13. Much like other United Nations personnel, peace-keepers have generally been able to rely for their safety on respect for their international status and for their objective and impartial role. This has allowed unarmed military observers, to mention one example, to weather the war on the Golan Heights in October 1973 in shelter at their observation posts, as Israeli and Syrian forces were fighting pitched battles nearby.

14. Existing arrangements for the protection of United Nations forces and personnel assigned to serve in a peace-keeping operation are reflected in the model status-of-forces agreement annexed to the report of the Secretary-General of 9 October 1990.[18] This model agreement embodies relevant principles of international law such as those provided for in the Convention on the Privileges and Immunities of the United Nations and the customary principles and practices applicable to United Nations peace-keeping operations.

15. Status-of-forces agreements provide for the necessary privileges and immunities, rights and facilities of United Nations operations and their civilian and military personnel. It is relevant to note that, under such agreements, the Government of a country hosting a peace-keeping operation undertakes to respect the exclusively international nature of that operation and to ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to the United Nations peace-keeping operation and its personnel, which, if committed in relation to the forces of the Government, would have rendered such acts liable to prosecution.

16. The security measures instituted by a United Nations peace-keeping operation depend greatly on the analysis of the possible risks and on the means available to the operation. In the case of some long-established operations, the direct danger to United Nations personnel is considered to be quite low. Accordingly, while contingency plans for emergencies are in place and are the object of regular exercises, security concerns play a lesser role in daily activities. For example, the mission may have only a minimum of vehicles with protective armour or none at all. In other cases, where frequent exchanges of fire take place in the area of operation and the situation can deteriorate very quickly, heavy emphasis is placed on protective shelters at all positions and on protective armour for road movement. In addition, vehicle movement is monitored by radio and, depending on the situation, movement may be limited to convoys, with armed escort if necessary. Such means of protection are not normally available to non-peace-keeping operations.

17. Peace-keeping forces are armed and authorized to use their weapons in self-defence. They have been compelled from time to time to exercise that right, and have inflicted casualties doing so. However, as their effective functioning is based on cooperation and consent, they have always shown the greatest restraint in order to avoid being drawn into a cycle of violence with any one party. Instead, they have sought to contain whatever disputes have arisen and to resolve them politically so as to preserve their role as a third party that is above the conflict.

III. NEW ISSUES

18. Developments that have taken place in the last year or so have highlighted certain gaps in the existing system as well as the need to strengthen it in certain areas. The main new development concerns the kind of conditions in which United Nations personnel are expected to operate and the level of risk considered acceptable. In fulfilment of the responsibilities entrusted to them by Member States, the personnel of the organizations of the United Nations system have increasingly been required to perform their functions in extremely hazardous conditions where decisions regarding their safety assume an immediacy not normally encountered in the past. This is particularly true in areas where government authority is not adequately exercised or is lacking altogether. Whereas in the past personnel were assured protection by virtue of their association with the work of the United Nations, this is no longer the case. On the contrary, personnel are more and more often at risk because of such association. In addition, actions by the United Nations in one part of the globe can generate threats to United Nations personnel in another.

19. As a result, casualties have mounted. In 1992, one staff member on average was killed every month; in 1993 the rate has so far been approximately one every two weeks. To date it has not been possible to identify and hold accountable those responsible for those deaths. The Organization has no statistics of casualties among the personnel of non-governmental organizations, but they, too, are reported to have increased. Military personnel suffered 51 fatal casualties in 1992 and 97 in the first half of 1993.

20. Another development, which has brought to light gaps in the existing security system, is the establishment of multidimensional operations involving military operations, humanitarian assistance, electoral assistance, human rights monitoring and development projects. In order to achieve a coherent approach to the security of those operations, a number of practical issues regarding differing priorities between the various components have to be resolved in each case.

21. Frequently, it is the personnel providing humanitarian relief who are already operating in an area after there has been a breakdown of law and order even before United Nations forces are deployed, if they are deployed at all. Moreover, the urgency of humanitarian needs often necessitates the deployment of personnel for the implementation of relief programmes before agreement on a precise legal framework governing the operation can be obtained.

22. Situations of urgent humanitarian need often invite great insecurity for those who would provide assistance. Hijacking of goods and equipment, with its serious implications for the safety of humanitarian personnel, is far too frequent. The United Nations has sought to provide a degree of protection through the local hiring of private guards. However, this has not always been successful and has sometimes compounded the problem.

23. Another means of providing relative protection for United Nations activities is the deployment of United Nations guards with side-arms, as in Iraq. The guards contingent there provides valuable support services in escorting relief convoys and humanitarian personnel, and in guarding warehouses, offices and relief distribution centres. It also secures telecommunications facilities between the various duty stations. This notwithstanding, the deployment of United Nations guards has its own limitations.

24. The United Nations has come to rely to an unprecedented extent on personnel who are not staff of the Organization. This is true not only of the tens of thousands of soldiers who serve as members of national contingents placed under United Nations command by Member States, but also of an increasing number of civilian personnel serving with non-governmental organizations having special arrangements with the organizations or personnel of commercial enterprises under contract with the United Nations. They run the same or similar risks as the Organization's staff and therefore require protection, too. While, for example, the status of members of national contingents provided by Member States is covered by status-of-forces agreements, that of the civilian personnel provided by contractors and non-governmental organizations associated with a particular operation is not covered either by status-of-forces agreements or any other international instruments.

25. To facilitate access to victims of humanitarian emergencies, the United Nations normally enters into arrangements with non-governmental organizations as implementing partners, who provide resources (e.g. personnel, equipment, distribution networks) enhancing the effectiveness of relief programmes. The non-governmental organizations may be international in character, or may be locally based. These implementing partners are an integral part of the Organization's capacity to implement its programmes and require protection. In this connection, more precise arrangements will need to be put in place to govern relations with implementing

partners and, in particular, their obligation with regard to security regulations. Similar arrangements will need to be made with commercial contractors.

26. Finally, a new feature is the use by the Security Council of its enforcement powers under Chapter VII of the Charter of the United Nations. This has led to the establishment of United Nations operations which are not based on consent and cooperation and may face outright opposition.

27. In view of these developments, a review was undertaken recently by expert consultants regarding the manner in which the overall security system of the United Nations is managed. This and other aspects of the question were studied further in connection with the preparation of the present report. The result of those deliberations is a set of measures which I propose to institute or which I recommend for consideration by Member States.

IV. PROPOSALS

28. Regarding the overall security of the personnel of the United Nations system of organizations, a fresh effort will be made to achieve the degree of integration and accountability necessary to ensure effectiveness. In particular, security matters will become an integral part of the planning for new operations. In this connection priority will be given to the improvement and standardization of communications and to the training of staff in security matters. Expert staff will be recruited to assist the Security Coordinator at United Nations Headquarters and the designated officials in the field. Arrangements will be made, through the situation room now being established by the Department of Peace-keeping Operations, to ensure that security staff can be reached at all times. Finally, the Security Coordinator will be reviewing regulations to ensure that measures already in place for the security of local staff are adequate, as well as to include categories of personnel who are not covered under the existing arrangements, although they work on behalf of the Organization and share the same risks as United Nations staff.

29. The measures outlined above will entail additional expenditures and it would be unrealistic to expect that these can be met from existing resources. They are, however, essential for the proper discharge of the Organization's responsibility for the safety of its personnel. I trust that Member States will provide me with the means to do what is necessary in this regard.

30. Further review will be necessary in order to develop more fully strategies for resolving some of these issues. One area of concern is the need for information about and analysis of possible risks, and for technical expertise, especially with regard to air safety, criminal investigation, forensics, ballistics and pathology. It is my intention to ask Member States for assistance in these fields as and when needed.

31. With regard to United Nations peace-keeping operations, some of the contributing Governments with the means to do so have made arrangements to support and, if necessary, to extricate their contingents, should their position be judged to have become untenable. Such concerns are certainly understandable, given the danger to which United Nations personnel are exposed in some cases. However, a United Nations operation must function in an integrated manner and any security precautions must cover all its personnel and not just one or two contingents. Moreover, any decision on a matter of such importance must rest with the United Nations, that is with the Secretary-General and the Security Council. I shall be initiating a dialogue with Member States on this matter. The Security Council may also wish to consider it.

32. In the case of an enforcement operation under Chapter VII of the Charter, it is only prudent, in accordance with normal military practice, to provide for reserves so that the operation can be quickly reinforced if required. Such reserves need not necessarily be an integral part of the operation. For example, the Quick Reaction Force supporting the United Nations Operation in Somalia is not. Other arrangements are conceivable. Again, I intend to pursue this matter in discussions with Member States. The Security Council may also wish to consider it in its deliberations.

33. From the legal point of view, both long-term and short-term strategies could be considered to enhance security and safety of personnel involved in United Nations peace-keeping and other operations.

34. In the long term, a new international instrument could be elaborated in order to codify and further develop international law relating to the security and safety of United Nations forces and personnel. The adoption of such a new instrument, as suggested by some delegations [*S/25667*], would make possible the consolidation in a single document of the set of principles and obligations contained in current multilateral and bilateral treaties, as well as provide an opportunity to codify and further develop customary international law as reflected in the recent practice of the United Nations and Member States. In drawing up such an agreement, consideration could be given to extending certain of the privileges and immunities accorded at present to the Organization and its personnel to civilian contractors, non-governmental organizations and their personnel who are engaged in United Nations operations through contractual or other arrangements. An international instrument of this kind could be negotiated in one of the Main Committees of the General Assembly and upon its adoption be open for signature by Member States. It should be noted, however, that the conclusion of such an instrument must be viewed as a long-term strategy, because its entry into force would take some time, and its effectiveness would depend on the number of States accepting to be bound by its provisions.

35. As issues relating to the security and safety of United Nations personnel require more immediate action, a short-term strategy should also be considered. First of all, it would be helpful if the Security Council, when deciding to set up a new operation, considered including in the relevant resolution the necessary conditions relating to security and safety under which such an operation is to be deployed. Such conditions should, depending on the nature of a particular operation, include, *inter alia*, the following:

(*a*) The application to the operation of the provisions of the Convention on the Privileges and Immunities of the United Nations;

(*b*) Confirmation that the Government of the country hosting the operation is obliged to take all necessary measures to ensure the security and safety of the United Nations operation and its personnel;

(*c*) A clarification to the effect that the security and safety arrangements undertaken by the host Government should be extended to contractors, non-governmental organizations and their personnel who are engaged in United Nations operations;

(*d*) A timetable for the conclusion of an agreement on the status of the operation in the host country/countries;

(*e*) A statement reaffirming that attacks and use of force against United Nations personnel will be considered interference with the exercise of the responsibilities of the Security Council under the respective provisions of the Charter of the United Nations and may require the Council to consider measures it deems appropriate;

(*f*) A statement indicating that if the authorities of the host State fail to meet their obligations with regard to the safety and security of the United Nations operation and its personnel, the Council may consider measures to ensure such security and safety.

36. Another measure that could be taken in the short term, pending the conclusion of a new international instrument, would be the adoption by the General Assembly of a declaration aimed at drawing attention to the critical importance of the security and safety of United Nations forces and personnel, thereby increasing and strengthening international awareness and commitment.

DOCUMENT S/26360

Further report of the Secretary-General pursuant to paragraph 7 of Security Council resolution 840 (1993)

[*Original: English*]
[*26 August 1993*]

1. In response to paragraph 7 of its resolution 840 (1993) of 15 June 1993, I submitted a report to the Security Council on 16 July 1993 [*S/26090*], which contained recommendations on the possible role the United Nations and its agencies might play after the end of the mandate of the United Nations Transitional Authority in Cambodia (UNTAC) according to the Paris agreements [*S/23177, annex*].

2. In addition to describing in that report developments since the elections of 23-28 May 1993 in Cambodia and the UNTAC withdrawal plan, I outlined preparations for the post-UNTAC period which is about to begin. In a letter dated 26 July [*S/26150*], the President of the Council informed me that the members endorsed the overall concept and arrangements concerning UNTAC's withdrawal and that they would continue their consideration of the remainder of the report.

3. In the light of further developments in Cambodia since the submission of my last report, I am now in a position to inform the Council in greater detail concerning my recommendations on the functions of a United Nations presence following the end of the mandate of UNTAC.

I. DEVELOPMENTS SINCE THE LAST REPORT

4. The drafting of a new Cambodian Constitution has been proceeding since the Constituent Assembly held its inaugural meeting on 14 June 1993. At the request of the Interim Joint Administration, UNTAC has provided technical comments on the draft Constitution, which is now approaching completion. Most of UNTAC's comments are aimed at strengthening the human rights-related provisions of the draft in accordance with annex 5 of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict [*see S/23177, annex*]. Agreement has now been reached on about 120 articles of the draft Constitution, which is to be presented to Prince Sihanouk at the end of August 1993 and then to the plenary of the Constituent Assembly. However, two major questions remain to be resolved: the status of the head of State and the post of the prime minister. It is understood that the constitutional drafting committee will make firm recommendations on these questions to Prince Sihanouk.

5. For several weeks the military situation was generally calm. However, following military activities by the National Army of Democratic Kampuchea (NADK) in the north and west, the Cambodian Armed Forces (CAF), a body comprising officers and men from the armies of the former State of Cambodia Party (SOC), the Front uni national pour un Cambodge indépendant, neutre, pacifique et coopératif (FUNCINPEC) and the Khmer People's National Liberation Front (KPNLF), launched a military operation in Banteay Meanchey Province in mid-August. CAF surrounded a number of NADK strongholds and has overrun one of them at Phum Chat, on the Thai border. Few casualties on either side have been reported. CAF has also disarmed villagers in the area and has confiscated some 1,500 weapons. CAF movements have also been reported in Kompong Thom and Siem Reap Provinces.

6. The military operation in Banteay Meanchey has resulted in the displacement or forced removal of several hundred villagers, including about 1,200 who have reportedly crossed into Thailand. The Office of the United Nations High Commissioner for Refugees will coordinate humanitarian assistance to the displaced persons.

7. In an incident involving UNTAC, on 1 August 1993, NADK troops attacked with mortar fire the UNTAC checkpoint at CT-1 near the border with Thailand in Choam Khsan, Preah Vihear Province. The 21 UNTAC personnel left the checkpoint and were briefly detained by NADK, after which they were released unharmed.

8. Widespread banditry remained a security threat. On 2 August a band of 100 armed men attacked a train in Kampot Province, killing 14 passengers and injuring 35 more. They then looted the train. UNTAC civilian police, military observers and the French battalion provided emergency medical and other assistance. Investigations subsequently indicated that elements of NADK were responsible. NADK is also allegedly responsible for another attack on a train on 15 August in Kompong Chhnang Province, in which two Cambodians were killed and five injured.

9. On 4 August, my Special Representative wrote to Mr. Khieu Samphan, President of the Party of Democratic Kampuchea (PDK), complaining about the harsh tone and racist content of that Party's radio broadcasts directed against ethnic Vietnamese residents, but Mr. Khieu Samphan has rejected these complaints. UNTAC has made it clear to the Cambodian authorities that they are obliged to provide adequate protection to ethnic minorities.

10. UNTAC civilian police are investigating the murder of six ethnic Vietnamese persons in Kompong Chhnang on 10 August. Preliminary investigations indicate that NADK was responsible for the killings. On 13 August, armed men abducted a group of ethnic Vietnamese children and later released them unharmed for ransom.

11. Since my last report was submitted to the Security Council, it has become increasingly clear that highly organized criminal gangs have been stealing UNTAC vehicles, sometimes at gunpoint. Some 140 vehicles have been stolen since mid-June. In one incident on 9 August, an UNTAC Provincial Director was briefly abducted by armed men, who robbed him and attempted to steal his vehicle. He managed to escape without injury. Recently UNTAC has recovered two stolen UNTAC vehicles that were found in the possession of senior military officers of the former Cambodian People's Armed Forces (CPAF). My Special Representative has brought these matters to the attention of the Interim Joint Administration at the highest level as a matter of urgency, and the two co-presidents have agreed to cooperate closely with UNTAC in preventing and punishing such crimes.

II. UNTAC WITHDRAWAL

12. The withdrawal of the UNTAC Military Component has been proceeding smoothly in accordance with the timetable set out in paragraph 12 of my report of 16 July. On 2 August, the first units of the Bulgarian, Tunisian and Uruguayan battalions left Cambodia by

sea or air. By 15 August, all personnel from those three infantry battalions, as well as the Indian forward field hospital, had been withdrawn from the Provinces of Kompong Speu, Kandal, Pursat, Kompong Chhnang, Stung Treng, Mondolkiri, Rattanakiri and Kratie. Simultaneously, the French, Malaysian and Indian battalions extended their respective areas of operation to cover those provinces. The next stage of the withdrawal, during which the Bangladesh battalion will withdraw from Siem Reap Province and be replaced by the Netherlands battalion, is about to begin. The rest of the plan will then be carried out as described in paragraphs 14 to 16 of the report and the withdrawal of the military component is expected to be completed by 15 November 1993.

13. The timetable for the withdrawal of the civilian police component is contained in paragraphs 17 to 19 of the report. In accordance with that plan, approximately 2,000 officers had already been repatriated by 15 August, of those remaining, about 500 are due to leave Cambodia by 31 August and the remaining 1,000 will depart during the month of September. The withdrawal has been accomplished in an orderly manner and without incident.

14. The withdrawal of the remaining staff of the other civilian components is also proceeding with a view to concluding UNTAC's operational activities by the formal end of its mandate. As indicated in the report (paras. 21 and 37), there will be a post-UNTAC United Nations presence in Cambodia in the field of human rights (see also paras. 27-29 below) and the remaining staff of the human rights component will remain active until the new office takes over at the end of UNTAC's mandate.

15. With the exception of the director of the electoral component and his immediate staff, who remain on hand to assist the Constituent Assembly as required with advice about constitutional and related matters, the entire staff of the electoral component has now left Cambodia.

16. The civil administration component will maintain a relatively strong presence during the remainder of the transitional period. As of 15 August 1993, a total of 56 international staff of this component remained in the provincial offices, with a further 40 staff in Phnom Penh (UNTAC headquarters and Phnom Penh provincial office). A further 17 Civil Administration staff are engaged in border control at the checkpoints, making a total of 113 throughout the country. These figures do not include the staff responsible for civil administration control functions in the fields of information and finance, which are exercised by the Information/Education Division and the Office of the Economic Adviser respectively.

17. The chief purpose of keeping a small staff in each of the provinces at this point is to maintain a United Nations presence for confidence-building purposes and to render technical assistance to the Interim Joint Administration, if required, during the remainder of the transitional period and to retain a provincial framework to facilitate a transition to post-UNTAC efforts in human rights and rehabilitation. However, it is not anticipated that any civilian staff will remain in the provinces following the withdrawal of the military component. Provincial staff will therefore continue to be withdrawn from the provinces.

18. As indicated in paragraph 32 my report of 16 July, about 20 staff of the Information/Education Division left Cambodia at the end of July. The remaining 25 members of the Division will continue to produce radio programmes on human rights education and reconstruction and development, which will be broadcast until the end of UNTAC's mandate.

19. As of late August, 23 staff in the Office of Economic Affairs, which includes the rehabilitation component, out of an original 30 still remained in Cambodia, with eight more due to leave by the end of August and the remaining 15 expected to stay at least until mid-September. Post-UNTAC rehabilitation activities are described in paragraphs 22 and 23 below.

20. My Special Representative has met twice with the co-presidents of the Interim Joint Administration to discuss the disposal of UNTAC assets. In accordance with the views of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), UNTAC will extract as much equipment as possible for use in other missions. However, some equipment and installations are of great value to the incoming Cambodian Government. The dismantling of such equipment would have an immediate negative impact on the development and rehabilitation of the country. Efforts are therefore under way to find buyers for this equipment who would be prepared to donate it to the Government.

III. PREPARATIONS FOR THE POST-UNTAC PERIOD

21. The activities that are expected to be carried on by the United Nations in Cambodia after the departure of UNTAC - rehabilitation, mine clearance, human rights protection, the reintegration of refugees and displaced persons and the humanitarian and technical work of United Nations agencies - can contribute significantly to the consolidation of peace in Cambodia. It is important, in my view, to ensure that these activities are coordinated and integrated in such a way as to enhance their effectiveness while taking full account of the sovereign wishes of the new Cambodian Government.

22. Rehabilitation will continue after UNTAC's departure. As of mid-August, approximately US$ 200 million has been disbursed of the $880 million pledged at the Ministerial Conference in Tokyo in June 1992. Despite the widespread rebuilding of roads, bridges and other infrastructural installations by UNTAC military engineers over the past 18 months and the major upgrading of Cambodia's airports and communications facilities undertaken as part of the mission, massive reconstruction is still required throughout the country.

23. Even as UNTAC prepares to depart, urgent measures must be taken to assist the incoming Cambodian Government to meet a number of pressing needs in the first six months of its existence and beyond. These requirements, which will be discussed at the meeting of the International Committee on the Reconstruction of Cambodia to be held in Paris on 8 and 9 September 1993, include budgetary support, public administration reform, mine clearance, resettlement and reintegration of displaced persons, agriculture, social services including health care and education, maintenance of public utilities and repair of the transportation system and infrastructure. The post-UNTAC presence in the rehabilitation field will need to assist the new Government in formulating its needs and presenting them to the international community. As a first step, my Special Representative has asked the co-presidents of the Interim Joint Administration to draw up a list of their most immediate requirements.

24. The Governing Council of the Cambodian Mine Action Centre [*S/25124, para. 83*], is due to meet before the end of August 1993 to extend its mandate, which otherwise would expire with the mandate of UNTAC. Once the new Cambodian Government is established, consultations will take place between it and the United Nations on the future status of the Centre, as well as the relationship of the United Nations and its agencies with it. For the foreseeable future, I believe that United Nations involvement in the Centre will be desirable.

25. Since the establishment of UNTAC, more than 4 million square metres have been cleared of mines and about 37,000 mines and other unexploded ordnance destroyed. Some 2,330 Cambodians have been trained in mine-clearance techniques, of whom about 1,400 are currently employed. These figures include the work done by non-

governmental organizations, including Halo Trust, Norwegian People's Aid, Mine Action Group and Handicap International.

26. Mine clearance by its very nature is a risky and painstaking task, and initial progress was slow. However, the experience gained over the past few months has led to a significant acceleration in the rate of mine clearance. The Cambodian Mine Action Centre is now operating effectively and, in order to maintain that momentum it is necessary to ensure adequate funding on the basis of a reliable corporate structure. I therefore intend to maintain the United Nations Trust Fund for Demining Programmes in Cambodia until alternative funding arrangements can be made that are acceptable to donors, in consultation with the new Cambodian Government.

27. Article 17 of the Agreement on a Comprehensive Political Settlement of the Cambodian Conflict provides that, after the end of the transitional period, the United Nations Commission on Human Rights should continue to monitor closely the human rights situation in Cambodia, including, if necessary, by the appointment of a Special Rapporteur who would report his findings annually to the Commission and to the General Assembly.

28. On 19 February 1993, the Commission adopted resolution 1993/6 on the situation of human rights in Cambodia, in which it recognized that Cambodia's tragic recent history required special measures to assure the protection of human rights and the non-return to the policies and practices of the past. The Commission requested the Secretary-General to ensure a continued United Nations human rights presence in Cambodia after the expiry of the mandate of UNTAC, including through the operational presence of the Centre for Human Rights, and to appoint a Special Representative for Human Rights. The functions of the Centre and of the Special Representative are enumerated in the resolution. The resolution also requested the Secretary-General to provide appropriate additional resources, within existing overall United Nations resources, to fund the operational presence of the Centre for Human Rights within the framework of other United Nations activities in Cambodia after the expiry of the UNTAC mandate.

29. The Centre for Human Rights is scheduled to establish its operational presence in Phnom Penh upon the termination of the UNTAC mandate, with a total of 23 international and local staff, drawn in part from the existing staff of the UNTAC human rights component. However, since funding for such presence has yet to be approved by the General Assembly and UNTAC funding for human rights operations will cease upon the termination of the mission's mandate, provision will have to be made to ensure the Centre's functioning until General Assembly-approved funding becomes available.

IV. OBSERVATIONS

30. As the operation of UNTAC nears its end, I believe the international community can take satisfaction in the fact that, despite serious difficulties, UNTAC was able to accomplish its central task of holding a free and fair election in Cambodia and laying a sound foundation for the people of Cambodia to build a stable and peaceful future. Developments since the election have also been encouraging. The Constituent Assembly is expected shortly to adopt the new Constitution and establish the new Government in accordance with its provisions and those of the Paris agreements. UNTAC's formal mandate will then come to an end, leaving the task of orderly and speedy withdrawal to be completed. In view of the need to allow sufficient time for the approval of the Constitution and the emergence of the new Government, I propose that the Security Council extend the mandate of UNTAC until 15 September 1993 and that it be ready to consider a brief further extension if the new Government has not been formally established by that date.

31. After UNTAC's mandate ends, the people and the new Government of Cambodia will require continued international support in order to safeguard the fruits of the tremendous effort and resources that the international community has already devoted to the cause of Cambodia. I have outlined in the present report the kinds of activities that the United Nations and its agencies are ready to undertake and the assistance they will be able to provide in response to the new Government's requirements.

32. As stated in paragraph 38 of my report of 16 July 1993, the suggestion that the United Nations should maintain a small military presence in Cambodia following the withdrawal of UNTAC has been raised from time to time. At this stage I have decided not to recommend that the Security Council authorize the retention of United Nations military personnel in Cambodia after UNTAC leaves. UNTAC will soon have carried out all parts of its mandate that proved to be practicable and I believe that, in accordance with previous practice in such cases, the correct course is to terminate the United Nations military presence and concentrate the resources available on civilian activities in support of peace-building in the new Cambodia that UNTAC has helped to bring about. If the new Government were to request a post-UNTAC military presence, with a clear indication of the tasks it would be expected to perform, I would of course give careful consideration to such a request and submit a report to the Security Council on the feasibility of the tasks proposed and the resources that would be required to carry them out.

33. As already indicated in paragraph 39 of my report of 16 July, it is my intention to establish in Phnom Penh an integrated office along the lines described in my report of 20 July to the General Assembly.[19] The primary function of the United Nations Representative who will head that Office will be to coordinate, in close consultation with the Cambodian Government, the full range of civilian activities that will be undertaken by various agencies of the United Nations system, in accordance with their existing mandates, to promote development, provide humanitarian assistance and foster respect for human rights in Cambodia. In addition, the Office will, during the period immediately following the establishment of the new Government, need to deal with a number of residual issues arising from the Paris agreements and UNTAC's presence in the country.

DOCUMENT S/26361

Report of the Secretary-General

[*Original: English*]
[*26 August 1993*]

1. The present report is a follow-up to the report dated 13 August 1993 [*S/26297*], in which the Secretary-General reiterated in paragraph 12 that, as previously stated in his report dated 12 July [*S/26063*], he would recommend to the Security Council that the sanctions it imposed by resolution 841 (1993) be suspended as soon as the Prime Minister of Haiti had taken office. In the same paragraph, the Secretary-General referred to the letter addressed to him by the President of the Security Council on 15 July [*S/26085*], stating that the members of the Council confirmed their readiness to suspend the measures imposed by resolution 841 (1993) immediately after the ratification of the Prime Minister and his assumption of his functions in Haiti.

2. The Prime Minister-designate of Haiti, Mr. Robert Malval, was ratified by the Senate on 18 August 1993 and by the Chamber of Deputies on 23 August 1993. He subsequently won a vote of confidence on his programme in the Senate on 24 August and in the Chamber of Deputies on 25 August. The process of confirmation of the Prime Minister-designate has thus been completed.

3. The Prime Minister of Haiti having assumed his functions, the Secretary-General recommends that the measures imposed by resolution 841 (1993) be suspended immediately.

4. The Secretary-General recalls that the suspension will automatically be terminated and sanctions reimposed if at any time he, having regard to the views of the Secretary-General of the Organization of American States, reports to the Council that the parties to the Governors Island Agreement or any authorities in Haiti have failed to comply in good faith with the Agreement. Some of the circumstances that would lead the Secretary-General to conclude that such a breach has occurred have been spelt out in paragraph 11 of his report of 12 July and in paragraph 8 of his report of 13 August.

5. The Secretary-General further recalls that, immediately after the return of President Aristide to Haiti on 30 October 1993, he will report to the Security Council with a view to the sanctions being lifted definitively.

DOCUMENT S/26367

Letter dated 26 August 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*27 August 1993*]

I have the honour to submit to you the attached letter, dated 26 August 1993, by the Foreign Minister of the Republic of Bosnia and Herzegovina, Mr. Haris Silajdzic.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

LETTER DATED 26 AUGUST 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF BOSNIA AND HERZEGOVINA TO THE PRESIDENT OF THE SECURITY COUNCIL

The Presidency of the Republic of Bosnia and Herzegovina sent a letter to the Security Council [*S/26169*] and the Secretary-General on 24 July 1993, in which it pointed out that all of the measures undertaken by this date in regards to the establishment of the "safe areas" in Bosnia and Herzegovina, and especially, in regards to the implementation of resolution 836 (1993), had been slow, inconsistent and indecisive.

Excellency, I regret to inform you that, presently, I can only reiterate the same observation.

A key predisposition for the establishment of the "safe areas" - withdrawal of forces and heavy artillery of the aggressor to a distance from which they would not constitute a menace to these areas and the population - has not been honoured. Artillery and other heavy weaponry are still stationed aiming at the safe areas and the population who are under United Nations "protection". Since the designation of Sarajevo as a "safe area" on 8 May 1993, 536 people of Sarajevo alone have been killed with 3,306 wounded.

I emphasize the fact that the North Atlantic Treaty Organization pointed out, on 9 August 1993, that the crucial question is the lifting of the siege of Sarajevo and placing the mountains around Sarajevo under United Nations Protection Force control.

However, Sarajevo is still under siege. Only a few parts of the city have minimal amounts of running water and electricity. The delivery of natural gas has, once again, been disrupted. Postal service and telecommunications with the rest of the world have not been restored. As of now, the aggressor's forces have not completely withdrawn from the mountains of Bjelasnica and Igman. The offensive launched to take these mountains occurred almost two months after resolution 836 (1993) was voted upon. Attacks by aggressor armed forces against Gorazde, Tuzla, Bihac and other areas declared "safe", according to that resolution, have continued.

I specifically point out that the Presidency of the Republic of Bosnia and Herzegovina requested the Security Council on 23 July 1993, to declare the city of Mostar a "protected area" [*S/26144*]. The situation in Mostar has drastically deteriorated ever since. Tens of thousands of people, including women and children, have been exposed to deadly threats caused by artillery attacks as well as by the lack of food and medicines. Furthermore, more than 15,000 civilians and 1,500 soldiers have been detained in prison camps located in Mostar, Siroki Brijeg, Grude, Gabela, Domanovici, Prenj, Pljet, Stolac, Ljubuski and Capljina.

On account of the above explained situation and unprecedented suffering of the population, I reiterate our request to the Security Council to begin implementation of the resolution 836 (1993) without delay. Tens of thousands of lives depend on it.

I avail myself of the opportunity to thank you for your vigorous involvement in alleviating the plight of the civilian population and in attempts to reach a just and durable settlement of the Bosnia and Herzegovina question.

(*Signed*) Haris SILAJDZIC
Minister of Foreign Affairs
of the Republic of Bosnia and Herzegovina

DOCUMENT S/26368

Letter dated 27 August 1993 from the representative of the Russian Federation to the President of the Security Council

[*Original: Russian*]
[*27 August 1993*]

I have the honour to transmit to you herewith the statement of 26 August 1993 by Mr. B. N. Yeltsin, President of the Russian Federation, concerning the resolution of the crisis in Bosnia and Herzegovina.

I should be grateful if you would have the text of this letter circulated as a Security Council document.

(*Signed*) Y. VORONTSOV

TEXT OF THE STATEMENT

The process of resolving the crisis in Bosnia and Herzegovina has reached a particularly important stage. An extremely difficult road has been travelled, necessitating the most active efforts by the entire international community, including Russia, and, above all, requiring major concessions by all the parties to the conflict. As a result, the participants in the Geneva negotiations have almost reached a compromise that would put an end to the protracted and bloody tragedy in Bosnia.

Russia makes an urgent appeal to the political leaders of the parties to the conflict and to the people of that unhappy Republic to demonstrate political wisdom at this point in time, to resolutely set aside mutual offences, recriminations and mistrust and to commit themselves definitively to the cause of peace in Bosnia and stability in the former Yugoslavia and the Balkans.

DOCUMENT S/26369[*]

Letter dated 27 August 1993 from the representative of Turkey to the Secretary-General

[*Original: English*]
[*27 August 1993*]

I have the honour to transmit herewith a letter dated 26 August 1993 addressed to you by Mr. Osman Ertug, Representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Inal BATU
Permanent Representative
of Turkey
to the United Nations

TEXT OF THE LETTER

I have the honour to refer to the letter dated 10 August 1993 addressed to you by the Greek Cypriot representative concerning the demographic structure of Cyprus [*S/26288*].

In response to the baseless allegations contained in the above-mentioned letter, I cannot do better than bring to your kind attention the relevant part of a statement issued by Mr. Kenan Atakol, Minister of Foreign Affairs and Defence, on 24 August 1993, a copy of which is annexed hereto.

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly and of the Security Council.

Enclosure

For years, the Greek Cypriot administration has been claiming that the Turkish Cypriot side is trying to change the demographic structure of Cyprus and, by using false figures which defy even the elementary norms of logic, has been attempting to deceive world public opinion. A new example of this is the allegation that 5,000 Turkish nationals have recently been given Turkish Republic of Northern Cyprus citizenship. To claim that it is even possible to grant citizenship to so many people within the short time that has elapsed since the amendment of the old and outdated citizenship law, the Greek Cypriot authorities must be living in a dream world and must be running out of propaganda material.

DOCUMENT S/26370[**]

Letter dated 26 August 1993 from the representative of Latvia to the Secretary-General

[*Original: English*]
[*27 August 1993*]

I have the honour to bring to your attention the text of a statement isuued on 25 August 1993 by the Ministry for Foreign Affairs of Latvia concerning the decision of the Government of the Russian Federation to suspend its troop withdrawal from Lithuania. I should be grateful if you would have the text circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Ivars SLOKENBERGS
Chargé d'affaires a.i.
of the Permanent Mission
of Latvia to the United Nations

TEXT OF THE STATEMENT

The Ministry for Foreign Affairs of Latvia expresses regret concerning the decision of the Government of the Russian Federation to suspend its troop withdrawal from Lithuania, thus disregarding international obligations and the troop withdrawal timetable signed by Lithuania and the Russian Federation on 8 September 1992. Such actions can cause tension in the whole Baltic region and in the long term negatively influence relations between the Russian Federation and the Baltic States.

From an international rights point of view, the fact that the agreement on troop withdrawal not signed owing to differences of opinion is irrelevant, since the presence of foreign troops on the territory of another country against its will is illegal. Therefore troop withdrawal should be concluded quickly, completely and in an orderly manner, as is demanded by the resolutions of the United Nations General Assembly and the Conference on Security and Co-operation in Europe, even if the above-mentioned agreement is not signed.

Attempts to increase pressure on Lithuania and other Baltic States and to influence their position with the help of threats will not change the existing situation and can be regarded as a violation of the sovereignty of those States and complicate negotiations in the future.

The Ministry for Foreign Affairs of Latvia hopes that the Russian Federation will revise this decision and withdraw its troops, finding a solution acceptable to both sides in this controversial issue. This would be in Russia's own interests and would only strengthen its international prestige.

DOCUMENT S/26371

Further report of the Secretary-General on the United Nations Observer Mission in El Salvador

[*Original: English*]
[*30 August 1993*]

1. The present report is submitted in pursuance of my report of 29 June 1993 [*S/26005*] in which I undertook to keep the Security Council informed of developments concerning the identification and destruction of clandestine arms deposits belonging to the Frente Farabundo Martí para la Liberación Nacional (FMLN), the presence of which in the territory of El Salvador and that of certain neighbouring countries had been acknowledged by FMLN. It will be recalled that, as reported in the above-mentioned document (para. 5), FMLN had informed me that it would cooperate with the United Nations Observer Mission in El Salvador (ONUSAL) in locating and destroying all such remaining weapons within a period of 45 days beginning on 21 June 1993, i.e., by 4 August 1993.

2. In the wake of that commitment, continuous and systematic operations were carried out by ONUSAL, on the basis of information provided by FMLN and with its active cooperation, to complete the

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[*] Circulated under the double symbol A/47/1007-S/26369.

[**] Circulated under the double symbol A/48/352-S/26370.

destruction of the contents of all illegal caches by the above-mentioned deadline. By that date, however, only 85 per cent of the clandestine arms located had been destroyed. The delay was due mainly to logistical and operational difficulties, arising in particular from the dispersion of what turned out to be a large number of small deposits; the difficulties of the terrain; the poor condition and resulting instability of the explosives; the independent handling of relevant information by the various constituent groups of FMLN; and the need to coordinate with the national authorities in Nicaragua and Honduras. Further, a new list of clandestine arms was presented to ONUSAL on 3 August by one of the FMLN constituent groups.

3. The overall process of verification and destruction of FMLN weapons and equipment mandated by the peace accords, which was finally completed on 18 August 1993, includes two distinct phases. The first covers the period until the accidental explosion of the illegal arms cache in Managua on 23 May 1993 [*see S/25901*]. Weapons verified and destroyed during that period include those that were turned in at 15 ONUSAL verification centres in El Salvador by 15 December 1992, as well as those voluntarily declared later, prior to the Managua explosion, which were held in Honduras, Nicaragua and El Salvador. The second phase covers ONUSAL's operations with respect to arms discovered in the immediate aftermath of the Managua incident and those declared by FMLN in compliance with its renewed commitment to disclose all its remaining weapons. These operations were carried out in El Salvador, Nicaragua and Honduras.

4. Weapons and war-related *matériel* verified and destroyed during the first phase represent approximately 70 per cent of the total quantity located during both phases. Figures for items turned in by 15 December 1992 and in later voluntary declarations prior to the Managua explosion include, respectively: 5,929 and 1,216 individual arms; 334 and 26 support weapons; 163,891 and 219,080 rounds of ammunition; 25 and 7 rockets; and 756 and 1,632 grenades. In addition, 687 kilograms of explosives, 54 surface-to-air missiles and 29 pieces of communications equipment were also located and destroyed.

5. In the second phase, ONUSAL verified and destroyed approximately 30 per cent of the total FMLN weapons and munitions, representing those discovered or turned in as a consequence of the Managua explosion (20 per cent) and those declared following FMLN's commitment to me (10 per cent). They include, respectively: 1,701 and 1,005 individual arms; 3 and 16 support weapons; 1,413,380 and 2,236,255 rounds of ammunition; 1 and 107 rockets; 2,880 and 3,960 grenades; 2,026 and 2,394 kilograms of explosives and 34 pieces of communications equipment; as well as 19 and 1 surface-to-air missiles.

6. In addition to the armaments found in the five safe houses in Nicaragua, of which I informed the Council in paragraph 6 of my report of 29 June 1993, the second phase entailed the uncovering, with the help of FMLN, of 114 arms caches in and outside El Salvador. The actual destruction of the *matériel* found in those caches which, owing to the difficulties mentioned above was an arduous and challenging task, was carried out by the military component of ONUSAL with the support of the civilian police component.

7. The condition and operational utility of the armament identified in the second phase varies. While the weapons and munitions encountered in Honduras and Nicaragua were in an advanced state of deterioration, those found in El Salvador, although fewer in number, had operative and logistic value. Arms were in good condition, ammunition was accessible, storage techniques were good and caches were distributed throughout 10 of the 14 geographical departments of the country.

8. Total figures for the complete inventory of FMLN arms and munitions identified since the cease-fire came into effect on 1 February 1992 thus include 10,230 arms (9,851 individual and 379 support weapons); 4,032,606 rounds of ammunition, 140 rockets, 9,228 grenades; 5,107 kilograms of explosives and 63 pieces of communications equipment; as well as 74 surface-to-air missiles. The number of identified arms caches belonging to all five constituent groups of FMLN is 128, of which 109 were in El Salvador, 14 in Nicaragua and 5 in Honduras.

9. Since, in accordance with the agreements, ONUSAL had to rely on the data voluntarily provided by the parties as its main source of information, a comparative analysis based on other official and unofficial sources was made in order to make a realistic assessment of FMLN inventory. The criteria considered included: estimates by well-known international and national research institutions on military matters; number of demobilization certificates issued by ONUSAL to ex-FMLN combatants (totalling 8,430 individuals, of whom 1,018 are war-disabled); and acquisition and operative plans disclosed. Furthermore, it should be noted that, according to Salvadorian Army press bulletins issued throughout the war, the Armed Forces captured more than 4,000 individual weapons (some unofficial sources put this figure at 7,000), 270 support weapons and some 4,500,000 rounds of ammunition, as well as 31 surface-to-air missiles.

10. Taking these elements as a point of reference and on the basis of ONUSAL's verification of the destruction of weapons discovered or declared by FMLN, I am in a position to state that by all available indications its military structure has now been effectively dismantled and that its former combatants have been demobilized and have been reintegrated, within a framework of full legality, into the civil, institutional and political life of the country, as established in the peace accords. With the closing down of this delicate process, the apprehensions raised by the discovery of large quantities of undeclared weapons still in FMLN possession seem now to have been surmounted.

11. Despite some delays in providing all the lists of arms declared by each of its constituent groups, FMLN was forthcoming and cooperative during the entire operation. Attached to the present report as annex I is the text of a certificate subscribed by the five members of the former General Command and addressed to my Special Representative in El Salvador to the effect that, to the best of their knowledge, all weapons, ammunition, mines, other explosives and military equipment belonging to FMLN have now been located, collected and destroyed. The five further state that any weapons confiscated in future should be accounted for solely by the persons in whose possession they are found and will not be FMLN's responsibility. In a public statement to this effect, which is also attached to the present report as annex II, FMLN again reaffirms that it has definitively given up arms as a means to achieve its goals and is determined to undertake political action only within the legal and institutional framework of the country. On 23 August 1993, I received from the Coordinator General of FMLN, Mr. Schafik Handal, a letter dated 21 August in which, *inter alia*, he expresses on behalf of the FMLN leadership the view that they have now complied fully with their undertaking to end the military structure of FMLN.

12. The Salvadorian Supreme Electoral Tribunal has been duly informed of the foregoing by my Special Representative. It will be recalled that the Tribunal, which, on the basis of ONUSAL's certification that all the items in the FMLN inventory had been accounted for and were being destroyed, had granted to it the status of a political party, had requested from ONUSAL a full report on the discovery of undeclared arms.

13. There is little doubt that, due to the circumstances surrounding a bitter armed conflict such as the one which prevailed in El Salvador for 12 years, the irregular nature of the war and the sense of insecurity inherent to a post-war period in any country, an unknown number of weapons and remnants of war-related *matériel* are likely to remain for some time in the hands of individuals or groups, including criminal ones. As announced by FMLN, these cases should be dealt with in accordance with the laws of the country. In addition, there could still be cases of individuals willingly handing in arms, or of the chance discovery of isolated arms caches which were at one time under the responsibility of individuals who subsequently lost their lives in the conflict, unbeknownst to FMLN.

14. The facts reported have brought into sharp focus the public's condemnation of armed groups and the futility of arms as a viable means to achieve political aims. In this climate, various groups and individuals have come forward spontaneously to declare unregistered weapons. The Government of El Salvador, the Commission for the Consolidation of Peace and the Legislative Assembly should accelerate action in order to put into effect as quickly as possible regulations regarding private security services and the effective registration, possession and bearing of firearms. Such measures would enable the authorities to conduct a systematic and permanent campaign to recover all unregistered military weapons currently in the hands of private entities or individuals, thus contributing to the effective disarming of Salvadorian society.

15. I should like to commend the restraint exercised by President Cristiani during this delicate period. I should also like to thank the Governments of Nicaragua and Honduras for their full cooperation with ONUSAL in this matter. The United Nations will continue to lend its full support to the Salvadorian peace process, whose resilience and irreversibility have again been demonstrated during this difficult test. It is to be hoped that the activities leading to the March 1994 elections now will develop in an atmosphere of normality, thus reinforcing the peace process which in general has been exemplary.

ANNEX I

[*Original: Spanish*]

Certification

We, Schafik Jorge Handal, José Eduardo Sancho Castañeda, Joaquín Villalobos Huezo, Salvador Sánchez Cerén and Francisco Alberto Jovel Urquilla, members of the former General Command of the Frente Farabundo Martí para la Liberación Nacional,

HEREBY CERTIFY

That, as we offered to do in our letter of 19 June [*see S/26005*], addressed to the Secretary-General, we the members of the former FMLN General Command have expedited and completed the task of locating, collecting and destroying, in close cooperation with ONUSAL, the remaining weapons held in scattered stockpiles over which we had no firm control.

That having completed the activities implied by this commitment, we are able to certify to you that to our knowledge there are no weapons, ammunition, mines, other explosives or military equipment belonging to FMLN remaining to be handed over and destroyed.

Consequently, the arms confiscated after this date shall be accounted for solely by the persons in whose possession they are found. FMLN disclaims all responsibility.

In order that this may be placed on record with the United Nations in the person of the Special Representative of the Secretary-General, Mr. Augusto Ramírez Ocampo, we hereby issue and sign this document in San Salvador, on 16 August 1993.

(*Signed*) Schafik Jorge HANDAL (*Signed*) Jose Eduardo SANCHO CASTAÑEDA

(*Signed*) Joaquin VILLALOBOS HUEZO (*Signed*) Salvador SANCHEZ CEREN

(*Signed*) Francisco Alberto JOVEL URQUILLA

ANNEX II

[*Original: Spanish*]

FMLN communiqué

We, the political leaders of the five organizations making up the party, meeting in assembly on 14 August at the El Espino estate, hereby declare:

1. We are a new party, democratic and pluralistic, in which various revolutionary political tendencies coexist and will continue to coexist.

2. The full implementation of the Chapultepec agreements, which embodies our objectives of demilitarization, democratization and social development, constitutes the basis of our programmatic platform.

3. We have unanimously reaffirmed our total commitment to the peace and democratization process initiated with the signing of the agreements and, hence, our firm determination to strive, wholeheartedly and exclusively, for the consolidation of that process in the political, institutional and legal fields. Armed conflict is a thing of the past: we have completely abandoned it and do not consider it a valid option in this new phase.

4. We emphatically reject the activities of armed groups, whatever justification they may claim. We continue fighting for the establishment of a State in which the rule of law truly prevails and within that context we support the just struggles of the people's movement and civilian society.

5. We have completed the process of handing over and destroying all the weapons that were still in our possession. We consider that this chapter in the implementation of the agreements by FMLN is closed.

As we have already stated to the Secretary-General of the United Nations, any further weapons that may be discovered will be the individual responsibility of those concerned.

6. We are moving forward as a party, united in an intensive electoral political effort with a single list of candidates and one strategy, in coalition with Convergencia Democrática. We shall continue striving to broaden this coalition.

7. We are aware that we represent hope to broad sections of the population and we shall pursue with responsibility, enthusiasm and energy our historic task of achieving, through political struggle, the establishment of a regime that guarantees, for all Salvadorians, economic development with democracy and social justice.

San Salvador, 16 August 1993.

FMLN Political Committee

DOCUMENT S/26373

Letter dated 20 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*29 August 1993*]

I have the honour to refer to Security Council resolutions 771 (1992) and 780 (1992).

The Commission of Experts established pursuant to resolution 780 (1992) has been attempting, in the context of its mandate, to examine and analyse information relating to grave breaches of the Geneva Conventions and other violations of humanitarian law committed in the territory of the former Yugoslavia, to uncover and establish evidence at mass grave sites in the United Nations Protected Areas (UNPAs) in Croatia.

It is of particular importance to the work of the Commission to excavate, *inter alia*, a site at Ovcara in the vicinity of Vukovar in Sector East of the UNPAs. The Government of the Netherlands has offered to provide an armed military engineer unit of up to 50 personnel which would be required to assist in the excavation. This offer is being made free of cost to the United Nations.

I believe that this task could best be carried out by including the unit, on a temporary basis, in the United Nations Protection Force (UNPROFOR). This would involve the temporary expansion of the Force by a further 50 military personnel, at no additional cost.

It is intended that the additional elements of the Force would be deployed in the area for a period of 10 weeks starting 1 September (1993), subject to the extension of the mandate of UNPROFOR which currently expires on 30 September. I would proceed on this basis, subject to the concurrence of the members of the Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26377

Letter dated 27 August 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*30 August 1993*]

With reference to the continuing violations of relevant Security Council resolutions by the Serbian insurgents in the Republic of Croatia, as well as to the deployment of Serbian troops from Serbia and the Republic of Bosnia and Herzegovina on the territory of the Republic of Croatia, I have the honour to present pertinent information as well as the position of the Government of the Republic of Croatia.

According to the findings of the delegation of the Republic of Croatia for negotiations with local Serbian authorities which were presented to the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in July and August of this year, Serbian insurgent forces in the United Nations Protected Areas (UNPAs) and "pink zones" in the Republic of Croatia were reinforced in men and military equipment from the territories of Serbia and the Serbian-controlled regions in the Republic of Bosnia and Herzegovina. These units were deployed in the areas of northern Dalmatia, Lika, and partly in Banija and Kordun.

The newly arrived enemy forces consisted of the following:

- A battalion (approximately 600 fully equipped men reinforced with artillery) from the "2nd Krajina corps" of the "Republika Srpska army" which arrived in the area of Benkovac from the territory of the Republic of Bosnia and Herzegovina in the middle of July. This battalion was recently joined by another battalion in the same area;

- During the same time period, groups of volunteers from Serbia, numbering approximately 1,300 to 1,500 soldiers, arrived on the territory of the Republic of Croatia, especially in the area of northern Dalmatia, and were sent directly to the front lines;

- 150 to 200 officers and junior officers from the army of Yugoslavia are deployed in the so-called "15th Lika Corps" and the "7th Knin Corps" of the illegal Serbian armed forces on Croatian territory;

- One battalion of the so-called "First Krajina Corps" from the Serbian-controlled region of Bosnia is on Croatian territory and is facing the Muslim- and Croat-populated region of Cazinska Krajina in western Bosnia;

- One brigade of Serbs from the Serbian-controlled region of Bosnia has crossed the Sava River on to the territory of the Republic of Croatia, where they occasionally invade the area of Western Slavonia in Croatia.

On the basis of these and other data in our possession, we estimate that some 6,000-7,000 armed men, along with artillery and one armoured battalion (40 tanks), have infiltrated the UNPAs in the Republic of Croatia from Serbia and Serbian-controlled regions of Bosnia. This intensified militarization in the UNPAs, Sectors North and South, is an indication of possible increased military activities which are being planned in Serbian political and military centres. This is further confirmed by the evacuation of civilians from certain Serbian-occupied regions of Croatia in order to create favourable conditions for military action.

Acts of armed aggression by Serbian insurgents and paramilitary units, operating in the Republic of Croatia, have intensified. The following is a chronological report of recent shelling of Croatian towns by Serbian insurgents:

23 August: the towns of Vlajici, Kasic, Lakici, Novigrad, Gornji Planjani, Vodice, Kljuc, Dugeci, Islam Grcki, Posedarije, as well as the Maslenica bridge and Zemunik airport, were shelled.

24 August: the towns of Pavlici, Modruski Sabljaci, Josipdol, Unesic, Posedarije, Vlajici, Drinovci, Cavoglave, Nova Glava, Prkos, Suhovare, Senj, Smokovic, Donji Zemunik, Kasic, Drvenjak, Buzovi, Dubravice, Seline, Bila Vlaka, Stankovci, as well as the Maslenica bridge and Zemunik airport, were shelled.

25 August: the towns of Ivanovac, Komletinci, Slana, Novigrad, Kasic, Otocac, Dubravice, Prispo, Jasenice, Islam Grcki, Rovanjska, Potravlje, as well as the police station in Pakrac and the Maslenica bridge, were shelled.

26 August: the towns of Ivanovac, Tvdjavica, Lipik, Novigrad, Kulusici, Nova Glava, Bristane, Dubravice, Plana, Stankovci, Jovici, Kasic, Gajine, Podgradina, Posedarje, Biograd, as well as the city of Zadar and the Maslenica bridge, were shelled.

27 August: the towns of Tvrdavica, Vurot, Sikovo, Nova Glava, Prkos, Filip Jakov, Veli Vrh, Posedarje Vrana, Smrdelj, Biograd, Donji Zemunik, Podgradina, Galpovac, Stankovci, as well as the city of Zadar, Zemunik airport and the Maslenica bridge, were shelled.

In the Serb rocket and tank attack of 26 August on Biograd and the ancient city of Zadar, two civilians were killed.

These acts by Serbian insurgents operating in the Republic of Croatia, as well as the arrival of armed units from Serbia and Serbian-controlled areas of the Republic of Bosnia and Herzegovina, represent gross violations of Security Council resolutions 724 (1991), 740 (1992), 752 (1992), 762 (1992), 779 (1992), 802 (1993) and 847 (1993), in which, *inter alia*, the Council called for the disbanding and disarming of paramilitary formations in the UNPAs.

The above-mentioned acts demonstrate the unwillingness of the local Serbian authorities to resolve outstanding problems through discussions and represent direct attacks against the territorial integrity and sovereignty of the Republic of Croatia, a State Member of the United Nations. Therefore, these violations of internationally accepted norms of behaviour call for the strongest possible condemnation by the world community. They also make it all the more apparent that the United Nations and the United Nations Protection Force on the territory of the Republic of Croatia need to take stronger and more resolute action in the implementation of relevant Security Council resolutions.

I should be grateful if you would provide for the distribution of this letter as a document of the Security Council.

(*Signed*) Vladimir DROBNJAK
Chargé d'affaires a.i.
of the Permanent Mission
of Croatia to the United Nations

DOCUMENT S/26380

Letter dated 27 August 1993 from the representative of Iraq to the Secretary-General

[*Original: Arabic*]
[*30 August 1993*]

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 25 August 1993 from by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the 97th meeting of the Security Council Committee established by resolution 661 (1990).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Nizar HAMDOON
Permanent Representative
of Iraq to the United Nations

LETTER DATED 25 AUGUST 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF IRAQ TO THE SECRETARY-GENERAL

I refer to my letter of 5 July 1993 concerning the decisions adopted in the name of the Sanctions Committee established by Security Council resolution 661 (1990) at its 95th meeting, and I should like once again to draw your attention to decisions adopted in the name of the Committee, on this occasion at its 97th meeting. It is clear from the nature of the decisions in question that the representatives of the United States, the United Kingdom and France are continuing, by prior intent, to impose on the Committee the adoption of decisions aimed at strengthening the unjust embargo imposed on the Iraqi people, particularly as it affects essential civilian and humanitarian areas, with a view to achieving political objectives that bear no relation to the resolutions of the Security Council or the Charter of the United Nations.

Some examples of the requests rejected by these three representatives at the meeting in question are set forth hereunder for purposes of illustration.

1. The representative of the United States objected to a request for the export to Iraq of 4,000 bags of shellac for painting school desks and blackboards. When the representative of Morocco drew the Committee's attention to the fact that the item was important for schools and was a finished product, the United States representative maintained his objection on the grounds that no essential humanitarian need was involved. The objection to this request requires no comment. It is inconceivable that the letter and spirit of the provisions of the Charter of the United Nations, or even the resolutions of the Security Council, should prohibit the importation by Iraq of civilian items that make a direct contribution to the essential process of educating hundreds of thousands of children and young persons in Iraqi schools and other educational institutions.

2. The representative of the United Kingdom objected to the export to Iraq of 130 tons of printing inks for the Ministry of Education on the grounds that the items were non-essential. The representative of Brazil commented that the inks would go to the Ministry of Education; the representative of New Zealand stated that the request should be approved since the Committee had approved similar requests in the past; and the representative of Morocco stated that inks were an essential product. The United States representative nevertheless called for precedents not to be invoked. Inks are a finished product used for those books and other publications that are fundamental to ensuring the right to education and the acquisition of knowledge and culture that is guaranteed under the prescriptions of religious law and by the covenants on human rights. That is a basic right of the people of Iraq, which brought writing to mankind and whose culture and civilization go back more than 6,000 years.

3. The United States representative objected to two requests for the export of 100,000 metres of textile piece goods and 50,000 kilograms of raw white yarn on the grounds that they were inputs to the textile industry. These items are humanitarian, civilian items used only for the purpose for which they are imported. The objection of the United States representative demonstrates the tendency to reject or block any request relating to civilian needs of a humanitarian character so that the cumulative effect of such objections will be to inflict ever greater harm and damage on the Iraqi economy.

4. The representatives of the United Kingdom and France objected to a request for the export of 5,250 cartons of primer paint for vehicles on the grounds that they were for use on private cars; the representatives of France and Japan objected to the export of 58,000 tyres; and the representative of France objected to the export of 3,750 cartons of polyester putty with drier on the grounds given before. The representatives of these countries have persistently objected to all requests for the export of vehicle replacement parts on the grounds that they are intended for private cars. Such a pretext has no legal basis or logical justification that has any connection with the resolutions of the Security Council relating to Iraq. Large segments of the Iraqi people depend on private vehicles for the transport of passengers and goods within and between Iraqi cities, particularly in the difficult circumstances created by the shortage of spare parts in the public transport sector because of the blanket embargo. Objections such as these can only be explained as having the aim of achieving the contrived and dubious political objective of increasing the burden of the embargo on all classes of the Iraqi people.

5. The representatives of the United States and the United Kingdom objected to the export of 70 tons of wood glue for use in furnishings for schools and hospitals, and the representative of Djibouti asked that the World Health Organization be consulted. The representatives of the United States and the United Kingdom also objected to the export of 64,000 kilograms of glue intended for the same purpose. Objections to the export of items used in the health sector only betray the plan of the United States and the United Kingdom to inflict harm on all classes of the Iraqi people.

I take this opportunity to point out that certain members of the Committee do not take account in their objections of the information provided in the report of Mr. Martti Ahtisaari, Envoy of the

Secretary-General of the United Nations, following his visit to Baghdad from 10 to 17 May 1991, which was transmitted by the Secretary-General to the President of the Security Council by his letter of 20 March 1991 [*S/22366*].

The refusal at this meeting to allow the importation of items of an essential civilian and humanitarian character must demonstrate to you and to the international community the political objectives that characterize the positions taken in the Committee by the governments of the United States and the United Kingdom.

The preconcerted political objective that underlies these positions is the desperate attempt to influence the free and independent national will of Iraq and the Iraqi people, although the vacuous and anomalous character of those who pursue this vile political objective has been amply and cogently demonstrated over the three years for which the unjust embargo has been maintained. The Iraqi people strongly condemns the positions taken by the governments of the United States and the United Kingdom, and it more than ever holds fast to its free national will. All these governments can do is to reconsider their hostile policies against Iraq and the Iraqi people and desist from using this Committee for their devious purposes.

We call upon the governments of those States members of the Committee that have no political objectives, and they are the majority, to take a firm stand against the conduct of the representatives of the governments of the United States and the United Kingdom and to bring an end to a series of decisions that are hostile to the Iraqi people and an affront to the international community and the United Nations.

I request circulation of this letter as a document of the Security Council.

(*Signed*) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

DOCUMENT S/26381

Letter dated 30 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*30 August 1993*]

I have the honour to inform you, with great concern, that despite all the measures taken by the world community the aggression of the Republic of Armenia against the Azerbaijani Republic is continuing. After the capture of the towns of Fizuli and Djebrail and other inhabited locations in the south-west of Azerbaijan, the Armenian army is stepping up its military activities in the direction of the Azerbaijani-Iran frontier.

The situation in the Kubatli district of Azerbaijan has become critical. Units of Armenia's armed forces have half encircled the district from three directions (the Goris district of the Republic of Armenia and the Lachin and Gadrut districts of Azerbaijan occupied by Armenia), using heavy armour, and are attacking the Azerbaijani positions. In the night of 28 August, after fierce and bloody fighting, the armed forces of the Republic of Armenia captured the village of Gyulyabir. The village of Basharat in the Kubatly district of Azerbaijan, captured on 27 August, has been completely burned down. The attack by the Armenian army in a southerly direction deep into the territory of Azerbaijan is continuing.

The situation in the Zangelan district of Azerbaijan also remains extremely complex. Throughout the night, inhabited areas in the district came under fire from the territory of the Kafan and Megri districts of Armenia. The main rocket and artillery attack was launched against Shaefly, with heavy destruction and many victims among the peaceful population.

In connection with the continued aggression by the Republic of Armenia against the Azerbaijani Republic, I request the Security Council to take the most effective measures to halt the capture of new territories and inhabited areas in Azerbaijan.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26382

Letter dated 30 August 1993 from the representative of Azerbaijan to President of the Security Council

[*Original: English*]
[*30 August 1993*]

I have the honour to transmit herewith the text of a statement issued at Baku on 18 August 1993 by the Ministry of Foreign Affairs of the Azerbaijani Republic.

I should be grateful if you would have this letter and abovementioned statement circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

On 14 August 1993, V. Papazian, Minister for Foreign Affairs of the Republic of Armenia, addressed a letter to the Secretary-General [*S/26312*] in which he stated that Azerbaijani armed forces had on 13 August 1993 bombarded a number of populated places in the border districts of north-eastern Armenia. These actions by the Azerbaijani side are characterized in the letter from the Minister for Foreign Affairs as a "futile and myopic policy of drawing Armenia into a large-scale war and through it exacerbating the on-going conflict in the region."

The Ministry for Foreign Affairs of the Azerbaijani Republic totally rejects these accusations as the usual falsifications from the Armenian side and considers it necessary to state the following:

With striking persistence, the Foreign Affairs Department of Armenia has from the beginning attempted to persuade the whole world that Armenia is not involved in the war on Azerbaijani territory.

During that time, however, more than 17 per cent of Azerbaijan's territory has been occupied, the Armenian army has treated the peaceful Azerbaijani population with unheard-of brutality, and as a result of its crimes thousands of citizens of the Republic have been killed and wounded. About 1 million people have become refugees in their own country and more than 500 cities and inhabited places have been occupied. An area of more than 8,600 square kilometres is under occupation. According to very approximate calculations, by 18 August 1993, as a result of the invasion of Azerbaijan by armed forces of the Republic of Armenia, the damage to personal property suffered by Azerbaijani citizens in the districts bordering Armenia and the upper part of Karabakh amounted to more than US$ 1 billion. In the Republic as a whole, the dwellings of one fifth of the population, and one third of the industrial and agrarian sectors, have been, to one degree or another, ruined.

These facts completely refute the Armenian claim that local Armenians are carrying out the war in Azerbaijan. The 20,000 Armenians who now inhabit the Nagorny Karabakh region of the Azerbaijani Republic, which constitutes only 5 per cent of the territory of Azerbaijan, could not by any effort occupy a number of important districts of the Republic much larger in territory than Nagorny Karabakh itself. Where would the enormous amounts of armaments now being used against the peaceful Azerbaijani population in the Nagorny Karabakh region of Azerbaijan come from if not Armenia?

In Mr. Papazian's letter, the territory seized by the Armenian forces in the Lachin district of Azerbaijan is cynically referred to as a "humanitarian corridor". But through this "corridor" a broad stream of arms, heavily armoured vehicles, ammunition and personnel moves from Armenia to Nagorny Karabakh and the adjoining occupied districts of Azerbaijan. That is why the Armenian side in the Minsk Group negotiations is for the second year stubbornly resisting Azerbaijan's proposal to establish international control of the Lachin sector of the Armenian-Azerbaijani frontier. If in fact humanitarian aid was arriving by this route, as Erevan claims, Armenia would have no reason to fear such control.

In his letter to the United Nations Secretary-General, Mr. Papazian accuses the Azerbaijani side of imposing a military decision to the conflict, which in the opinion of the Minister for Foreign Affairs of Armenia jeopardizes the efforts of the Minsk Group.

But the Minsk process is being blocked by the occupation by Armenian forces of the Lachin, Kelbadjar and Agdam districts of Azerbaijan. Between 13 and 18 August 1993 the Armenian armed forces seized 12 villages in the Djebrail and 15 villages in the Fizuli districts of Azerbaijan. The inhabitants of these districts bordering on Iran have abandoned their homes and are moving towards the Iranian frontier. More than 60,000 refugees have now gathered in these districts along the Azerbaijani-Iranian frontier.

All these events took place during the regular meeting of the Minsk Group in Rome, which again failed to make any progress because of the obstructionist position of Armenia and the Armenian community of Nagorny Karabakh.

The Ministry for Foreign Affairs of the Azerbaijani Republic believes that the above-stated facts will enable the United Nations Secretary-General to assess properly the letter from the Minster for Foreign Affairs of Armenia. It ill-behoves someone occupying so high a governmental post to engage in such an unseemly task as the purveying of disinformation to such authoritative organizations as the United Nations and its Secretary-General.

DOCUMENTS S/26385 AND ADD.1

Report of the Secretary-General on the United Nations Operation in Mozambique

[*Original: English*]
[*30 August 1993*]

DOCUMENT S/26385

INTRODUCTION

1. The present report is submitted in response to paragraph 13 of Security Council resolution 850 (1993) of 9 July 1993, which requested me to keep the Council informed of developments regarding the full implementation of the provisions of the General Peace Agreement for Mozambique [*S/24635, annex*] and to submit a report to it by 18 August 1993 on the outcome of the discussions on the revised timetable, including the assembly and demobilization of forces and the formation of the unified armed forces. The Council subsequently agreed to my suggestion that the submission of the report be postponed in view of the projected meeting between the President of Mozambique, Mr. Joaquim Chissano, and Mr. Afonso Dhlakama, President of the Resistência Nacional Moçambicana (RENAMO). The present report therefore covers the period up to 25 August 1993 and brings up to date the activities of United Nations Operation in Mozambique (ONUMOZ) in implementing the military, humanitarian, electoral and political aspects of the mandate entrusted to it by the Security Council.

2. The most significant development since my last report to the Council on 30 June 1993 [*S/26034*], was the arrival in Maputo, after several postponements, of Mr. Dhlakama, and the start on 21 August of a series of meetings between him and President Chissano. It is widely expected that these meetings will continue until some form of agreement has been reached on major outstanding issues. The importance of this development cannot be overemphasized. Progress in many major areas of the peace process depends on the successful outcome of these discussions.

I. MILITARY ASPECTS

A. *Deployment of the military component*

3. In my previous report [*ibid.*], I had informed the Council that the delays that had impeded the rapid deployment of the ONUMOZ military component had been overcome and that, by the beginning of May 1993, the five infantry battalions provided for in my operational plan had been fully deployed along the Beira, Tete, Limpopo and Nacala corridors and along National Highway No. 1. Since then, deployment of all contingents has been completed with the arrival of the Indian engineer company, which is operating in the southern region.

4. At the end of August 1993, the total strength of the formed units, including support elements, was 6,004 as follows:

Argentina	36
Bangladesh	1 363
Botswana	721
India	899
Italy	1 010
Japan	48
Portugal	280
Uruguay	816
Zambia	831

5. As envisaged, operations of the contingents involve mainly the conduct of motorized and air patrols along the corridors, establishing checkpoints and conducting train escorts. United Nations troops have also been involved in escorting road convoys carrying relief food to populations in need in various regions, as well as transporting equipment to assembly areas. In addition, they have carried out repair and reconnaissance of roads, both in populated locations and en route to assembly areas.

6. As of 25 August 1993, 303 of the authorized total number of 354 military observers had arrived in Mozambique. Assisted by troops from the contingents, the observers are now actively involved in the establishment and preparation of assembly areas, conducting inspections and investigations of cease-fire violation complaints.

7. In paragraph 5 of my previous report, I emphasized the need to provide additional patrols and observation, including permanent stationing of military personnel outside transport corridors. I also indicated the need to bring the strength of the military component of ONUMOZ up to the levels originally envisaged. My Special Representative, Mr. Aldo Ajello, and the Force Commander have now strongly recommended to me the deployment of United Nations troops in Zambezia province, in addition to the five corridors, in order to ensure security, to provide escort convoys for humanitarian operations, and to facilitate assembly and demobilization of troops in this vast and heavily populated region. I am studying this proposal closely and will present my recommendations on the strengthening of the United Nations military presence in this important province to the Security Council in due course.

B. *Establishment of assembly areas and demobilization*

8. Substantial progress has been made with respect to the establishment of assembly areas for the cantonment of Government and RENAMO troops prior to their demobilization. So far, 34 of the 49 assembly areas have been found acceptable by all sides and have already been approved by the Cease-fire Commission. Of these 34 sites, 26 are designated for government and 8 for RENAMO troops. Teams of ONUMOZ military observers have been deployed in 18 of these 34 approved assembly areas so that the cantonment process may begin as soon as possible. I very much hope the readiness of the United Nations to start receiving troops immediately in the cantonment areas will encourage the parties to begin this process without further delay. At this stage, the process hinges on the success of the meetings between President Chissano and Mr. Dhlakama. As my Special Representative has reported to me, Mr. Dhlakama had made it clear that he could not begin demobilization of his troops until the question of administrative control over RENAMO-held areas is resolved. Meanwhile, the Government has indicated its readiness to send its troops to the assembly areas as soon as RENAMO is prepared to do the same.

C. *Cease-fire*

9. Since the signing of the General Peace Agreement, there have been 47 complaints of cease-fire violations all of which have been investigated by the Cease-fire Commission with the active participation of ONUMOZ. The Commission approved the results of almost half these investigations; some complaints have been dropped, while the results of the remaining cases, which relate primarily to the question of control and administration of territory, have been transferred to the Supervisory and Monitoring Commission for consideration.

10. The most serious complaints are the following: in late June and early July 1993, RENAMO had detained 27 Mozambican hunters in the area of Salamanga (Maputo province), claiming that they had been hunting in this RENAMO-controlled area without "RENAMO's permission". After interventions by ONUMOZ, RENAMO released the hunters in the presence of my Special Representative and United Nations military observers. Meanwhile, complaints concerning government encroachment on three villages in Tete province and on a RENAMO base at the village of Mangole in Gaza Province during the third week of July were filed by RENAMO. While acknowledging that its forces had attempted to dislodge RENAMO from the Tete villages, the Government presented arguments that implied that it reserved the right to use military force in order to reclaim territory that it considered rightfully under its control. In this connection, my Special Representative made a public statement to the effect that disputes of any kind could be resolved only within the mechanisms established under the General Peace Agreement. Other members of the Supervisory and Monitoring Commission issued a joint statement deploring unilateral action aimed at occupying or reoccupying areas by force. At a subsequent meeting of the Commission, the Government stated that it had no intentions of taking any unilateral action.

11. At the end of July 1993, following the Government's encroachment on the village of Mangole, a statement issued by a senior RENAMO official threatening unspecified retaliatory action against the Government added to the atmosphere of tension. My Special Representative strongly denounced this position.

D. *Formation of the Mozambican Defence Forces*

12. The general peace agreement provided that the formation of the new Mozambican Defence Forces (FADM) was to begin immediately after the cease-fire came into effect and was to be conducted simultaneously with the process of assembly and demobilization of troops so that the new army would be operational by the time elections were held. The process was to be supervised by the Joint Commission for the Formation of the Mozambican Defence Force (CCFADM) which includes, in addition to the parties to the agreement, representatives of France, Portugal and the United Kingdom of Great Britain and Northern Ireland, as statutory members. Shortly after the Security Council adopted resolution 850 (1993), by which it, *inter alia*, agreed to the parties' request that the Joint Commission be placed under the chairmanship of the United Nations. My Special Representative convened the first formal meeting of the Joint Commission on 22 July 1993.

13. At that meeting, the Joint Commission approved the Lisbon Declaration by which France, Portugal and the United Kingdom set out the programmes they would offer to assist in the formation of FADM. The Commission decided to initiate the training of instructors for the new Mozambican army immediately by sending 100 officers (50 each from the Government and RENAMO) to the training facility at Nyanga (Zimbabwe) where they arrived on 3 August. After some delays, it is now expected that an additional 440 officers will be dispatched to Nyanga at the beginning of September. I am also pleased to inform the Council that on 13 August, the Joint Commission approved three important documents: the timetable for the formation of the new army; the rules and criteria for the instructors to be trained in Nyanga; and the structure of the high command of the new army. These documents, which were signed at a public ceremony, should have a positive influence on the work of other commissions.

II. HUMANITARIAN ASSISTANCE PROGRAMME

14. The comprehensive humanitarian programme is continuing to cover repatriation, demobilization, emergency relief and the restoration of essential services. Its most important goal is to address effectively the reintegration needs of all Mozambicans. In this

connection, the programme also focuses on balance-of-payments support for marketed food and agricultural inputs as well as institutional support to strengthen local capacity to manage post-war humanitarian programmes.

15. At the Follow-up Donors' Meeting to the Donors' Conference on Mozambique held at Maputo on 8 and 9 June 1993, considerable concern was expressed about the amount of resources not earmarked. Although some progress has been made in reducing the size of unallocated funds, many donors have yet to indicate the activities or the implementing agencies to which they wish their pledges directed. The United Nations Office for Humanitarian Assistance Coordination has recently written to such donors to encourage them to make decisions, so that the implementation of some underfunded activities can go forward. However, even if all commitments were allocated to specific activities, there would still be a net shortfall of some $70 million.

16. The key outstanding needs in the consolidated Humanitarian Assistance Programme are in the following areas and sectors: (*a*) agriculture, including seeds and tools; (*b*) multisectoral or area-based programmes, including the reintegration of demobilized soldiers; (*c*) emergency, including non-food relief, logistics, and the transport of vulnerable groups; (*d*) the repatriation operation; (*e*) institutional support; and (*f*) balance-of-payments support. In this context, it should be pointed out that access to seeds and tools is essential to a successful return of Mozambicans to the land. Also, the importance of assisting demobilized soldiers to reintegrate into civilian life cannot be overstated.

17. Significant population movements took place during the months of January and February 1993, prior to the secondary planting season. With the main agricultural season beginning in October/November, increased additional population movements are expected. It should be pointed out, however, that for Mozambique as a whole, and within the context of its population of refugees and internally displaced persons, the return of potential resettlers has been relatively slow. One reason for this relatively slow pace of return is the insecurity which potential resettlers feel about the future. Another is the absence of basic services in the areas to which they are expected to return. Without open roads and the bare minimum of economic activity and services, potential resettlers may prefer to wait another year before moving back permanently. The beginning of the demobilization process should, however, send a clear signal that peace is stable and also encourage movement back to the land.

18. However, in certain areas, population movements have recently picked up. Such is the case in Nampula Province where, in contrast to the previously slow rate of resettlement, movement back into RENAMO areas within the province increased considerably from June through August 1993. This increase is due in part to the expansion of assistance from solely relief activities, to include health, water, agricultural inputs and education. Food continues to be delivered to many regions, including many RENAMO areas.

19. Some 326,000 refugees are now back inside Mozambique, a number equal to over 20 per cent of the total of 1.5 million Mozambicans in refuge outside Mozambique at the time the Peace Agreement was signed. More than half of these returnees have moved to the small, exceptionally fertile District of Angonia in Tete province. The Office of the United Nations High Commissioner for Refugees has held three transport operations for returning refugees from Zimbabwe, mostly heading for Manica province. An agreement has now been signed with Swaziland to begin the repatriation of some 24,000 refugees in that country in late August 1993, with the International Organization for Migration handling the transport of the refugees to over 100 different villages and towns inside southern Mozambique.

20. The Commission for Reintegration held its third meeting on 27 July 1993. A series of documents was approved that served to identify the key principles pertaining to the reintegration of demobilized soldiers: impartial treatment of different categories of military personnel; rural orientation; and the use of existing institutions wherever possible. The key programmes identified are in the areas of training and labour-intensive employment creation, owing to the weakness of the formal labour market. This substantial progress resulted from a month of careful and intense preparatory meetings with all concerned.

21. An information programme for the soldiers in the assembly areas was approved; it seeks to encourage the demobilized to return to their rural homes and to re-establish their families as viable economic units. The programme will include precise information for vulnerable groups among the demobilized and general information related to labour-intensive opportunities and training facilities. In this connection, the programme will launch a literacy campaign and make use of radio programmes and local discussion groups.

22. Some progress has been made in the implementation of the mine-clearing programme. A Mine Clearance Subcommittee has been established to review as well as develop programme and operational details that will be incorporated in proposals for approval by the Cease-fire Commission. Proposals related to a country-wide mine survey and the training of Mozambicans in demining and mine-clearance operations are now ready for approval by the Commission.

III. PREPARATIONS FOR THE ELECTIONS

23. The multiparty consultative conference, under the chairmanship of the Minister of Justice of Mozambique, which was suspended on 27 April 1993, resumed its work on 2 August to discuss the text of the draft electoral law prepared by the Government. All parties, including RENAMO, were in attendance. It had already been agreed that, after the discussion, the Government would present the finalized draft electoral law to the National Assembly for approval and that the document should conform strictly to both the letter and the spirit of the General Peace Agreement. While the decision of the parties to resume their efforts to discuss the draft electoral law was a positive development, little actual progress has been made in agreeing on a text. In fact, as of 25 August, only 16 of the 284 proposed articles had been considered, with debate breaking down over article 16. This article concerns the composition of the National Electoral Commission, which would be responsible for organizing the parliamentary and presidential elections and should be representative and impartial.

24. According to the Government's original proposals, one third of the members of the National Electoral Commission would be nominated by RENAMO and the remainder by the Government. RENAMO and the parties which constitute the so-called "unarmed opposition", while accepting the Government's suggestion that the Commission should comprise a total of 21 members, have been claiming more representation for themselves and have made a counter-proposal according to which the Government, RENAMO and the "unarmed opposition" should appoint seven members each. The Government's latest position is that it should appoint 11 members, RENAMO 7, and the unarmed opposition 3 members. Another counter-proposal, put forward by a minor party, suggests that the Commission should consist of 10 members from the Government, 7 from RENAMO, 3 "unarmed opposition" appointees, and an independent chairman.

IV. POLITICAL DEVELOPMENTS

25. Apart from the resumption of the dialogue on the draft electoral law (see sect. III above) and the decision to send officers to Nyanga

for training as instructors, an important political development since my last report involves the work of the commissions provided for in the General Peace Agreement. Since July 1993, all four tripartite commissions chaired by the United Nations have been meeting on a regular basis and approving documents aimed at facilitating and accelerating the peace process.

26. The Supervisory and Monitoring Commission has concentrated on two main issues: the electoral law and guidelines for cease-fire violations. It also considered a document on rules of conduct for the Cease-fire Commission regarding the movement of troops after the signature of the General Peace Agreement. This document, which separates the military and logistic aspects of such movements from those relating to the administration of territory, has received the full support of the international members of the Supervisory and Monitoring Commission as well as the approval of the Government. RENAMO has requested more time for consultations. Once approved, the document will allow the parties to resolve the problems that arose following the Government's encroachment on three villages in Tete Province, and it is hoped that it will prevent similar situations from occurring in the future. The document also reiterates that all military movements conducted after 4 October 1992 with the purpose of gaining new military positions must be considered as cease-fire violations, and that those troops that had been moved for such purpose should be withdrawn to their previous positions.

27. The Commission for Reintegration has approved key programmes for demobilized soldiers in the areas of training and labour-intensive employment, as well as an information programme for soldiers in the assembly areas. The Commission for Reintegration also decided to recommend to the Supervisory and Monitoring Commission that it extend the activities of the Humanitarian Assistance Committee in accordance with Protocol V, section III, paragraph 5, of the General Peace Agreement.

28. The General Peace Agreement also called for four commissions to be established, comprising members of the Government and RENAMO as well as other members appointed as a result of consultations held by the President of Mozambique. Members of three of these commissions have been appointed, and the following bodies have been formally established: the Commission for State Administration, the National Information Commission and the Police Affairs Commission. However, owing to persistent mistrust between the two parties, none of these commissions has yet been convened. RENAMO has objected to the members appointed by President Chissano as well as to the chairpersons selected by him. The establishment of the fourth, the National Electoral Commission, will be determined after the adoption of the draft electoral law (see paras. 23 and 24 above).

29. In his contacts with President Chissano and Mr. Dhlakama, my Special Representative has consistently conveyed to the parties the strong concerns shared by the Security Council and myself that, despite some tangible progress, delays have not been overcome. In particular, he has emphasized to the parties the importance the international community attaches to the holding of the elections in Mozambique no later than October 1994. Obviously, there is an urgent need to agree, without further postponements, on the revised timetable for the implementation of all provisions of the General Peace Agreement, which was presented by my Special Representative to the parties several months ago. As Council members are aware, the revised timetable takes as its point of departure the resumption of the work of the commissions beginning on 3 June 1993 and concluding 16 months later with the holding of elections in October 1994. The concentration and demobilization of Government and RENAMO troops, to be carried out in stages, is expected to take eight or nine months. The concentration of troops is scheduled to begin in September 1993 and will be followed a month later by the beginning of the demobilization. It is expected that 50 per cent of the soldiers will have been demobilized by January 1994, and the demobilization of troops should be completed by May 1994.

30. Approximately 30,000 soldiers are to be absorbed into the new army and the rest are to return to civilian life. Half the new army is to be operational by May 1994 and formation of the new army should be completed by September 1994. Home transportation of soldiers who will not be part of the new army is to start in October 1993, after demobilization begins, and is to be concluded by April 1994 in order to enable the demobilized soldiers to register for the elections. Voter registration is expected to take three months and is scheduled to be carried out from April to June 1994. The repatriation of refugees and displaced persons has already begun and is expected to be largely completed by April 1994 so that the resettled population may register in time for the elections.

31. Although the revised schedule has not yet been formally approved by the Supervisory and Monitoring Commission, important progress has been made in key areas. The Government has explicitly agreed to the October 1994 deadline for the holding of the elections, while RENAMO has expressed its implicit agreement. Hence, both parties have agreed in principle to fulfil the overall objective of the General Peace Agreement within the proposed time-frame. Although some specific modifications have been requested, my Special Representative has made it clear that these should not affect the ultimate goal of holding elections in October 1994.

V. OBSERVATIONS

32. The recent developments in the Mozambican peace process have been encouraging. The most significant of these has been the long overdue start of direct talks between President Chissano and Mr. Dhlakama in Maputo. Although these talks are still under way, they have already instilled a renewed sense of optimism about the prospects for the full and timely implementation of the peace process in Mozambique. There can be no doubt that genuine national reconciliation will be warmly welcomed by all Mozambicans and that it will receive the strong support of the international community.

33. I suggested delaying the submission of the present report expressly in order to be in a position to inform the Council of this event, which not only has special symbolic significance, but is also of substantive importance. As members of the Council are aware, President Chissano and Mr. Dhlakama have already announced their intention to meet regularly in the future, and Mr. Dhlakama has agreed to establish a residence in Maputo, dividing his time between the capital and RENAMO headquarters in Maringue. I shall keep the Council informed of the progress of the talks. I strongly urge the parties to take this opportunity to turn their current dialogue into an ongoing and action-oriented process aimed at bringing the peace process to a successful outcome. All efforts to this end should stay firmly on the track charted by the General Peace Agreement.

34. I especially welcome the readiness of RENAMO to accept the principle of a single administration throughout the country. I very much hope that this issue, which is crucial to many elements of the peace process, can be resolved in the coming days, along with the questions concerning the early initiation of the assembly and demobilization process, which are other pressing imperatives. In this context, the timely dispatch of the second group of government and RENAMO military trainees to the Nyanga military facility in Zimbabwe would be a significant advance.

35. It is of vital importance that President Chissano and Mr. Dhlakama reach an understanding on how to break the current deadlock on the composition of the future National Electoral

Commission. Several proposals have been put forward; goodwill and determination on the part of all parties involved would help to bridge the already shrinking gap in their respective positions. Having said this, it is my belief that, notwithstanding the present difficulties regarding the establishment of this important commission, work should proceed expeditiously on the drafting of the electoral law so that it may be approved without undue delay, thus making it possible for the elections to be held no later than October 1994, as emphasized in resolution 850 (1993).

36. There is a pressing need for the two parties formally to approve the revised timetable for the implementation of the peace process. Since most of the elements for the successful movement forward of the peace efforts are in place, I have instructed my Special Representative to follow the above-mentioned plan as closely as possible, and strongly urge the parties to take advantage of the promising situation. The constructive progress achieved recently should not lose its momentum. Furthermore, the demands on the United Nations and its critical financial constraints preclude any further delay or procrastination. The international community, I am confident, would not entertain further attempts to attach conditions to the peace process or to gain more time and obtain further concessions. For its part, the United Nations will continue to support and assist all parties and the people of Mozambique in their endeavours to bring lasting peace and democracy to their country.

DOCUMENT S/26385/ADD.1

[*Original: English*]
[*10 September 1993*]

1. As members of the Security Council will recall, in paragraph 33 of my report of 30 August 1993 [*S/26385*] I emphasized the significance of the direct talks between the President of Mozambique, Mr. Joaquim Chissano, and Mr. Afonso Dhlakama, President of the Resistência Nacional Moçambicana (RENAMO), which began in Maputo on 23 August 1993, and promised to keep the Security Council informed of the progress of the talks. I am now pleased to inform the members of the Council that on 2 September, two major agreements were reached between the Government and RENAMO and an appropriate document was signed on 3 September.

2. The Government of Mozambique and RENAMO have agreed, in particular, to integrate into the state administration all areas which had been under RENAMO control. This understanding will have major implications for stability in the country and should help to promote national reconciliation.

3. The agreement which will have major consequences for the functioning of ONUMOZ concerns the impartiality of the national police. The parties have agreed to request the United Nations to monitor all police activities in the country, public or private, to monitor the rights and liberties of citizens in Mozambique and to provide technical support to the Police Commission. The proposed United Nations police contingent would be responsible for verifying that all police activities in the country are consistent with the General Peace Agreement [*S/24635, annex*]. The Government has agreed to provide a list of *matériel* in the possession of the police, as well as other information necessary to verify the activities of the police.

4. My Special Representative, Mr. Aldo Ajello, has already begun preliminary consultations with the Government of Mozambique and RENAMO on this matter. It is my intention to send shortly to Mozambique a small survey team of experts and to inform the Security Council in due course of their findings as well as of my final recommendations about the size of the United Nations police component. In this context, I would like to bring to the attention of Council members that, from my Special Representative's initial contacts on this matter, it appears that at least one of the parties has in mind a much larger police force than that envisaged in the initial operational plan for ONUMOZ [*S/24892, paras. 29 and 48 (c)*]. While awaiting the experts' recommendation, preparations will be made to commence deployment of the 128 police observers already authorized by the Security Council in its resolution 797 (1992) of 16 December 1992.

5. The Mozambican Government further has indicated that it also will seek the support of the international community in reorganizing its Rapid Intervention Police.

6. President Chissano and Mr. Dhlakama discussed other important issues, including those relating to the impartiality of the press and economic assistance to RENAMO. However, decisions on those issues have been deferred to the next high-level meeting. It is expected that Mr. Dhlakama will again visit Maputo in the beginning of October 1993. In this connection, I would like to reiterate that I am strongly in favour of such meetings becoming an ongoing process. My Special Representative is working with the parties to ensure that the momentum towards the full implementation of the Rome accords is maintained. It is imperative to immediately begin assembly and demobilization of troops as well as to reach early agreement on the draft electoral law, in order for the elections to be held according to the revised timetable for the implementation of the General Peace Agreement [*see S/26835, paras. 29-31*]. I hope that all Member States concerned would strongly encourage the parties accordingly. No new conditions, preconditions or postponements should be accepted.

DOCUMENT S/26386

Letter dated 30 August 1993 from the representative of Armenia to the Secretary-General

[*Original: English*]
[*31 August 1993*]

I have the honour to transmit to you herewith a letter dated 27 August 1993 addressed to you from Mr. Karen Baburian, Chairman of the Parliament of Nagorny Karabakh.

I should be grateful if you would circulate the letter as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia to the United Nations

TEXT OF THE LETTER

[*Original: Russian*]

We note with regret that all our requests for the dispatch to Nagorny Karabakh of a special representative of the United Nations have remained unanswered.

We are deeply convinced that the Security Council's resolutions should be adopted on the basis of observations and findings by your representatives on both sides of the line of conflict. This would preclude bias and lack of objectivity in assessing the events taking place in the region.

The fact that our numerous communications have been ignored has meant that the world does not as yet know the truth about the sufferings of the people of the Nagorny Karabakh Republic, who are daily subjected to rocket artillery fire and bombing attacks, and stifling in the grip of the blockade. We are ready to provide hundreds of facts which testify to violations of Security Council resolutions by Azerbaijan, violations which remain unpunished. At the same time, any action in response by the Defence Force of Nagorny Karabakh meets with severe condemnation by the United Nations. There is manifest selectivity in the assessments, with no account being taken of the cause and effect relationships in the escalation of military action.

Having learned from bitter experience, we should like to draw your attention to the address to the people by the leader of Azerbaijan which was broadcast over the Republic's television and radio at 3 p.m. on 23 August 1993. Mr. Aliev unambiguously acknowledged the fact that peace talks between Nagorny Karabakh and Azerbaijan were broken off by Azerbaijani armed units not acting in accordance with instructions from the unified command. He also noted that the Armenian units and the civilian population left the district centre of Fizuli on the orders of the administrative head of the district, acting for purposes of provocation. Similar provocative actions, on Mr. Aliev's admission, were also carried out in the Djebrail district.

Essentially, this constitutes a refutation of the exaggerated account put forward by certain circles concerning an alleged attack by units of the Defence Force of the Nagorny Karabakh Republic on Fizuli and Djebrail.

The presence of your representative in Nagorny Karabakh would make it possible for the Security Council to convince itself of the groundlessness of such assertions. We hope that this time an objective and dispassionate assessment of the events in the region will be forthcoming.

Allow me once again to assure you of the commitment of the leadership of the Nagorny Karabakh Republic to a peaceful settlement of the military conflict between Azerbaijan and Nagorny Karabakh. The political and military leaders of the two conflicting parties - the Nagorny Karabakh Republic and the Azerbaijani Republic - have recently expressed their readiness to meet and continue contacts aimed at bringing about a general cease-fire.

We appeal to the United Nations and to all States of the world to facilitate in every way the development of a peaceful dialogue and to make their constructive contribution to it.

DOCUMENT S/26387

Letter dated 30 August 1993 from the representative of the Islamic Republic of Iran to the Secretary-General

[*Original: English*]
[*31 August 1993*]

Upon instructions from my Government, I have the honour to transmit the text of a letter to you from Mr. Ali Akbar Velayati, Minister for Foreign Affairs of the Islamic Republic of Iran, on the alarming situation close to the north-western borders of the Islamic Republic of Iran which has reached new and dangerous dimensions following recent Armenian attacks against the territory of the Republic of Azerbaijan.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(*Signed*) Gholamali KHOSHROO
Chargé d'affaires a.i.
of the Permanent Mission of the Islamic Republic
of Iran to the United Nations

LETTER DATED 29 AUGUST 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE ISLAMIC REPUBLIC OF IRAN TO THE SECRETARY-GENERAL

The developments close to the north-western borders of the Islamic Republic of Iran have entered a new and critical stage with the ongoing offensives by the Armenian forces against the territory of the Republic of Azerbaijan. Owing to the expansion of the war deep inside Azerbaijani territory, the sounds of artillery can be heard at the Iranian borders. Large groups of displaced Azeri populations have fled to surrounding areas and the human and material tolls are mounting.

Your are well aware that as a neighbour to both the Azerbaijani Republic and the Republic of Armenia, the Government of the Islamic Republic of Iran, on the basis of good-neighbourly relations with both States and in accordance with the principle of neutrality, initiated an extended effort in March 1992 aimed at resolving the dispute peacefully. In spite of positive achievements such as the establishment of a temporary cease-fire and the signing of the Tehran peace agreement, the mediation by the Islamic Republic of Iran was not supported by certain States, and following the inadequate engagement of the United Nations to adopt practical measures to guarantee continued respect for the cease-fire, the war broke out again and escalated when Armenians attacked Lachin in Azerbaijani territory.

The Islamic Republic of Iran has supported all efforts aimed at restoring peace and stability in the Caucasus. However, the latest Armenian offensives against Azerbaijani territory have endangered the prospects of conciliation and the restoration of peace, thus creating a critical condition for all of the States in the region. The Islamic Republic of Iran, as it has repeatedly announced, condemns all Armenian attacks against the territory of Azerbaijan and expresses concern over the continuation of such attacks, which have the potential of fanning the flames of war to engulf the entire region. In the light of our experience in mediation in the area and in view of our knowledge of the complex issues involved, the Islamic Republic of Iran believes that in order to curb the spread of the war and achieve a just solution it is essential that the United Nations take immediate and effective measures to implement Security Council resolutions 822 (1993) and 853 (1993) and decisively compel the aggressive forces to accept a cease-fire and to withdraw to the internationally recognized borders. Only under such circumstances is it possible to return peace and security to the area and thus pave the way for the resumption of the economic construction of these two newly independent States and for the welfare and prosperity of the oppressed Azeri and Armenian nations who have had a long history of peaceful coexistence.

Relying on the good relations with the countries in the region, the Islamic Republic of Iran is fully prepared, as in the past, to participate in and cooperate with the process of peaceful settlement of the conflict.

(*Signed*) Ali Akbar VELAYATI
Foreign Minister of
the Islamic Republic of Iran

DOCUMENT S/26391

Letter dated 27 August 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*31 August 1993*]

I have the honour to refer to paragraph 2 of resolution 858 (1993) of 24 August 1993, by which the Security Council decided to establish the United Nations Observer Mission in Georgia (UNOMIG).

Following the usual consultations, I intend, if the Council so agrees, to appoint Brigadier-General John Hvidegaard of Denmark as Chief Military Observer of UNOMIG.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26393

Letter dated 1 September 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*1 September 1993*]

I have the honour to transmit to you herewith the text of a statement issued on 1 September 1993 by Mr. Robert Kocharian, President of the State Defence Council of Nagorny Karabakh.

I should be grateful if you would circulate the statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

The authorities of Azerbaijan and Republic of Nagorny Karabakh signed an accord at 1700 hours, 31 August 1993, on a cease-fire and agreed to a meeting between the leaders of Azerbaijan and Nagorny Karabakh by 10 September.

This agreement was reached at a time when the armed forces of the Republic of Nagorny Karabakh, resisting the attempts of units of the Azerbaijani army in the Kubatli region to attack the Hadrut region, were taking measures to neutralize the military positions of the enemy.

We share fully the concerns and assessments of the President of the Republic of Armenia; we also appreciate the prospects of the dialogue that has begun. The authorities of the Republic of Nagorny Karabakh have, therefore, given orders to their armed forces to withdraw immediately from the Khochik-Khanlik-Chereli line to positions held earlier.

By withdrawing its forces from over 30 population centres of the Kubatli region, including the regional centre, as an expression of good will, the Nagorny Karabakh Republic forces intend to observe strictly the agreement which has been signed. The authorities of the Republic of Nagorny Karabakh, in their turn, appeal to the authorities of Azerbaijan to preclude any operation which can jeopardize the recently evident positive developments.

DOCUMENT S/26394

Letter dated 1 September 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*1 September 1993*]

I have the honour to transmit to you herewith the text of a statement issued on 1 September 1993 by Mr. Levon Ter-Petrossian, President of the Republic of Armenia.

I should be grateful if you would circulate the statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

At 1700 hours on 31 August 1993, the authorities of Azerbaijan and Nagorny Karabakh reached an agreement on a cease-fire.

During the few days of negotiations preceding the signing of the agreement, the Self-Defence forces of Nagorny Karabakh - while repelling attacks by Azerbaijani military units - have taken countermeasures in the Kubatli region. Appreciating highly the significance of the agreement which has been achieved and taking into account the prospects of the projected dialogue aimed at reaching a durable peace, the Republic of Armenia appeals to the authorities of Nagorny Karabakh to withdraw, as a measure of good will, its forward units to the line of separation of forces held earlier and to apply the strictest measures against violators of the agreement.

DOCUMENT S/26395

Letter dated 1 September 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*1 September 1993*]

I have the honour to convey the attached report addressed to me on 1 September 1993 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Report of the Co-Chairmen of the Steering Committee on the activities of the International Conference on the Former Yugoslavia

INTRODUCTION

The previous report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, which the Secretary-General transmitted to the Security Council on 20 August 1993 [*S/26337*], contained the text of a peace plan for Bosnia and Herzegovina as it had been developed by the parties up to 20 August 1993. On that date, the parties had decided to return home to explain the map and to come back to Geneva for a final meeting on Monday, 30 August 1993 [*ibid., para. 7*].

I. RESUMED PEACE TALKS (31 AUGUST TO 1 SEPTEMBER)

The parties returned to Geneva and resumed their discussions with the Co-Chairmen on Tuesday, 31 August. The Co-Chairmen first saw President Izetbegovic and Mr. Silajdzic. President Izetbegovic informed the Co-Chairmen that he was authorized to sign the peace package but asked that the Muslim majority province be given territory extending to the Adriatic Sea and that Muslim majority areas in the area of the River Drina, in the area east of Bihac and in Jajce, should be allocated to the Muslim majority republic, which should have a larger percentage of the national territory. Later, President Izetbegovic gave a map to the Co-Chairmen claiming 2.3 per cent of the territory of Bosnia and Herzegovina in Eastern Bosnia and 1.7 per cent east of Bihac making 4 per cent in all.

The Co-Chairmen then met Mr. Karadzic and Mr. Boban in the presence of Presidents Milosevic, Tudjman and Bulatovic. Mr. Karadzic stated that he was authorized to sign the peace package as it existed. He explained that the authorization of his parliamentary assembly had required a two-thirds majority vote and that he could not sign the package with any change.

Mr. Boban reported that his parliamentary assembly had also authorized him to sign the package without any change provided the other two parties signed. He added that it had been felt that the Croats had not received satisfaction in Central Bosnia, but that the Croats had accepted the package in the interest of peace.

The Co-Chairmen explained to Mr. Karadzic and Mr. Boban, in the presence of Presidents Milosevic, Tudjman and Bulatovic, that President Izetbegovic was unlikely to sign the package unless, at a minimum, there were changes granting the Muslim majority republic additional access to the Adriatic Sea and some Muslim majority areas along the River Drina.

After some discussion, the following method of proceeding was agreed:

1. The package should be retained and eventually signed as it is.

2. Bilateral negotiations could take place between the Muslims and the Serbs and also between the Muslims and the Croats.

3. Any bilateral agreements worked out should be signed at the same time as the peace package.

President Izetbegovic held bilateral talks with the Serbs in the afternoon of 31 August and with the Croats the same evening.

On Wednesday morning, 1 September, the Co-Chairmen first met with President Izetbegovic and Mr. Silajdzic. They then saw the Muslim, Serb and Croat delegations in turn. In the afternoon, they saw the three delegations again individually, and then together in a final session.

In the course of the discussions, the parties explored the following options:

A. *Exchange of territories*

1. A collateral agreement between the Muslim and the Serb parties that the road linking Gorazde to Zepa referred to in paragraph 2 of Part I of Annex A to the Constitutional Agreement [*see S/26337/Add.1*] shall be 3 kilometres wide and shall have two crossovers between points within the Serb majority republic.

2. After the withdrawal of all forces to the agreed boundaries of the Constituent Republics, good faith negotiations would be undertaken for the exchange of territories within the Serb majority republic in which a majority of Muslim people live for territories within the Muslim majority republic, such as the Ozren Mountains, where a majority of Serb people live. Similar negotiations would also take place between the Croat and Muslim parties.

B. *Access to the sea*

1. A separate agreement would be concluded between the Muslim and Croat parties for the establishment of an exit to the sea for the Muslim majority republic through the Croat majority republic via the Access Authority Throughway from Poplat to Neum, and for the Muslim majority republic to acquire a tract of land on the shore of the Adriatic, either around Neum or on the Isthmus of Klek (Kosa) and, if feasible, on technical and environmental grounds, develop it as a commercial port.

2. The Serb majority republic might make an agreement with the Republic of Croatia regarding an exchange of territories in East Herzegovina with a view to establishing an exit to the Adriatic.

C. *Political agreements*

All three parties would agree that the first elections in the Constituent Republics should take place, under the supervision of the United Nations and the European Community, no later than two years after the entry into force of the Constitutional Agreement. All elections to the legislative bodies of Constituent Republics and of *opstinas* should be by proportional representation. All political parties registered in any of the Constituent Republics might organize themselves and act freely throughout the territory of the Union of Republics of Bosnia and Herzegovina, provided their activities are in accordance with the Constitutional Agreement.

II. OUTCOME

The original package [*S/26337 and Add.1-2*] and the options mentioned above, which were distilled from the three parties' own ideas, were put by the Co-Chairmen to the three delegations individually in the afternoon of Wednesday, 1 September.

The Croat delegation accepted and said it was ready to sign the original package and the collateral agreements.

The Serb delegation stated that it accepted the original package and the collateral agreements and was ready to sign them. It suggested that a clause be added stating an understanding of the three parties on the issue of sanctions.

When the Co-Chairmen saw President Izetbegovic and asked him for his position on the original peace package and the proposed collateral agreements, he informed the Co-Chairmen that while he appreciated the efforts made, the results achieved on territorial issues had, in his view, been meagre. He stated that he could not understand why the Muslim majority areas along the River Drina and in east of Bihac were not allocated to the Muslim majority republic, nor did he understand why the Muslims' request for territory extending to the Adriatic Sea was not accepted. In the circumstances, he was not prepared to sign the peace package or the collateral agreements.

The Co-Chairmen suggested that President Izetbegovic explain his position to the other delegations directly and they were then called in, whereupon President Izetbegovic repeated that he could not sign the peace package and the collateral agreement.

Mr. Karadzic commented that on 20 August the Serbs and the Croats had made five final concessions on the understanding that if there were no agreement, those concessions would be withdrawn. He noted that a good compromise package had been worked out on 20 August which the Serbs and the Croats had accepted and which should not be unravelled. He emphasized that the Serbs were withdrawing from 24 per cent of the territories they currently hold. He added that the Muslims now hold only 10 per cent but were being given over 30 per cent. He reiterated that he accepted the package and the collateral agreements, accepted implementation, and was ready to sign on the understanding that bilateral negotiations would continue. He stressed, however, that he was not ready to re-open the package and to start negotiations all over again.

Mr. Boban stated that on 20 August the parties had taken a peace package to explain it to their constituencies and had agreed to come back to Geneva for a final session on 30 August. Although the Croats had felt that their rights as a constituent people had been whittled down in the package to the barest minimum, yet they were ready to sign it and the collateral agreements in the interest of peace if the others did so. He urged that the Co-Chairmen proceed with signature of the package and cautioned against any side imposing conditions. He regretted that President Izetbegovic was setting up condition after condition. He cautioned that if the package were not accepted the result would be chaos and further war.

President Izetbegovic replied that as far as he was concerned the war should not continue. He was for continuing negotiations and would respect the cessation of hostilities and free passage of humanitarian convoys. He was also in favour of exchanging prisoners of war.

Following these statements, the Co-Chairmen informed the parties that they would remain at their disposal to assist them in the search for peace. However, they expressed their grave fears for the fate of the people of Bosnia and Herzegovina as well as for the personnel of the United Nations Protection Force (UNPROFOR), the United High Commissioner for Refugees (UNHCR) and other humanitarian organizations. They urged the parties to keep their word to observe the cessation of hostilities and noted that they would be reporting on the talks to the Security Council and to the European Community. They felt that it was a great tragedy that the parties had come so near to agreement but that in the end it had eluded them.

III. ASSESSMENT

The assessment of the Co-Chairmen is that:

1. The choice at the end of the day was between a negotiated peace and the continuation of war. The consequences of this choice for the population of Bosnia and Herzegovina could be severe. If the conflict persists over the next winter, it might be difficult, if not impossible, to assure continued humanitarian relief and assistance in Bosnia and Herzegovina and the consequences for the civilian population could be devastating.

2. Notwithstanding the protestations of the parties, the danger is high that further conflict could break out and could even intensify and expand.

3. The personnel of UNPROFOR, UNHCR and other humanitarian workers are already encountering unacceptable security risks. There is, therefore, a distinct possibility that these organizations may not be able to continue their activities in a deteriorating situation.

4. The original package and the associated collateral agreements, in the absence of any alternative, should be kept on the table.

DOCUMENT S/26397*

Letter dated 30 August 1993 from the representatives of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama to the Secretary-General

[*Original: Spanish*]
[*2 September 1993*]

We have the honour to write to you in order to transmit the text of the Declaration on the Situation in Nicaragua which was adopted by the Presidents of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama at the meeting held at San Salvador, El Salvador, on 27 August 1993.

We should be grateful if you would have the text circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) José María BORBON
Chargé d'affaires a.i. of
the Permanent Mission
of Costa Rica to the United Nations

(*Signed*) Ricardo CASTANEDA
Permanent Representative
of El Salvador
to the United Nations

(*Signed*) Julio MARTINI
Permanent Representative
of Guatemala
to the United Nations

(*Signed*) Juan José CUEVA
Permanent Representative
of Honduras
to the United Nations

(*Signed*) Erich VILCHEZ ASHER
Chargé d'affaires a.i.
of the Permanent Mission
of Nicaragua to the United Nations

(*Signed*) Eduardo A. HEART
Chargé d'affaires a.i.
of the Permanent Mission
of Panama to the United Nations

DECLARATION ON THE SITUATION IN NICARAGUA

Considering that peace in Central America is one, undivided and indivisible, and that, therefore, any development which disrupts peace has repercussions throughout the region and, in observance of the principle of non-intervention in the internal affairs of States, calls for prompt action by the Presidents with a view to helping to maintain political stability, the constitutional State and democratic institutions in Central America,

Accordingly, in order to promote the strengthening of the conditions that will enable the democratic process in Nicaragua to be consolidated, we, the Presidents of Costa Rica, El Salvador, Guatemala, Honduras and Panama, meeting with the President of Nicaragua in the city of San Salvador, El Salvador, have decided:

1. To state our strongest condemnation of any act of violence and terrorism which threatens the life and personal safety of Nicaraguans or the security of the State and the stability of the lawfully constituted Government.

2. To express our solidarity with and resolute support for the Government of the Republic of Nicaragua and its President, Mrs. Violeta Barrios de Chamorro, in their endeavour to find workable solutions to the problems of the country, reaffirming our belief that the fullest respect for laws and democratic institutions is essential.

3. To appeal to the various sectors of national life in Nicaragua to assume their share of responsibility in building the future of that fraternal country, urging them to reach a national agreement that will help to consolidate the political, economic and social stability which the fraternal nation seeks. We therefore support the early implementation of the agreement which was concluded on 21 August 1993 between the Government of Nicaragua, the Unión Nacional Opositora and the Frente Sandinista de Liberación Nacional for the purpose of removing all the obstacles that thus far have impeded institutional, economic and social normalization and the search for the general welfare of Nicaragua.

4. At the request of the President of Nicaragua, and pursuant to articles 3, 15 and 17 of the Tegucigalpa Protocol [*S/23310, annex III*], which are aimed at achieving the objective of the Central American Integration System of transforming Central America into a "region of peace, freedom, democracy and development", to instruct the Ministers for Foreign Affairs to use their good offices to bring about national agreement in Nicaragua.

5. To appeal to the international community to continue to provide Nicaragua with the necessary cooperation to strengthen peace and reconciliation in the Nicaraguan family, this being a prerequisite for promoting the climate of political and social stability that will enable the nation to develop fully, ensuring the well-being of its people.

San Salvador, El Salvador, 27 August 1993

Rafael Angel CALDERON FOURNIER
President of the
Republic of Costa Rica

Alfredo CRISTIANI BURKARD
President of the
Republic of El Salvador

Ramiro DE LEON CARPIO
President of the
Republic of Guatemala

Rafael LEONARDO CALLEJAS
President of the
Republic of Honduras

Violeta BARRIOS DE CHAMORRO
President of the
Republic of Nicaragua

Guillermo ENDARA GALIMANY
President of the
Republic of Panama

DOCUMENT S/26398

Letter dated 1 September 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: Russian*]
[*2 September 1993*]

I have the honour to inform you that on the morning of 1 September, after flanking tank attacks from the territory of the Republic of Armenia and the occupied district centre of Djebrail, Armenian armed forces captured yet another regional centre in Azerbaijan, namely Kubatli. According to preliminary data, part of the civilian population in the north of the Kubatli region of Azerbaijan has been surrounded. According to eye-witness testimony, inhabited localities captured by the Armenians are being burned and civilian inhabitants who have been unable to evacuate are shot down on the spot.

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* Circulated under the double symbol A/47/1009-S/26397.

Following the tank attack on the Kubatli district, the Armenian aggressors began preparations for a large-scale invasion of the Zangelan district of Azerbaijan. Throughout the night of 31 August-1 September, inhabited localities in the Zangelan district came under intensive artillery fire from the territory of Armenia. The population of Zangelan district and refugees from Kubatli district found themselves in a difficult situation, and many of them were killed.

The world community's failure to adopt the most decisive measures against Armenia's aggression in the Kelbadjar and Agdam districts has led to the occupation of the Fizuli, Djebrail and Kubatli districts of Azerbaijan. The Zangelan district is in danger of falling. The result of the expansionist policy pursued with impunity by Armenia against Azerbaijan has been hundreds of civilian inhabitants dead and hundreds of thousands of refugees, along with the loss of a fifth of the territory of the Azerbaijani Republic.

Given the ever-expanding aggression by the Republic of Armenia against the Azerbaijani Republic, it is bewildering that the Security Council is not taking any effective measures to halt the capture of further territories and inhabited localities in Azerbaijan.

I should be grateful if you would have this letter circulated as a document of the Security Council.

Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

DOCUMENT S/26402*

Letter dated 1 September 1993 from the representative of Belgium to the Secretary-General

[*Original: English/French*]
[*3 September 1993*]

I have the honour to enclose the French and English versions of a statement on Haiti issued by the European Community and its member States on 1 September 1993.

I should be grateful if you would have the text of this letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Paul NOTERDAEME
Permanent Representative of Belgium
to the United Nations

TEXT OF THE STATEMENT

The European Community and its member States welcome the ratification of Mr. Malval as Prime Minister by the Haitian parliament and his investiture by President Aristide. This investiture constitutes a fundamental stage in the implementation of the New York agreement of 3 July 1993 [*S/26063, para. 5*].

Following the suspension of sanctions on 27 August 1993 by the Security Council, the European Community and its member States are suspending the measures which they had introduced pursuant to resolution 841 (1993). In accordance with their statement of 6 July [*S/26046*], they will be resuming their cooperation with Haiti, which was interrupted by the *coup d'état*.

The European Community and its member States sincerely hope that the taking up of his duties by the Prime Minister will be followed by the implementation of the other points in the agreement of 3 July 1993 in order to conclude swiftly the process of restoring constitutional order and make possible the return of President Aristide to Haiti.

DOCUMENT S/26403

Letter dated 31 August 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*4 September 1993*]

I have the honour to transmit herewith the text of a statement issued on 31 August 1993 by the Ministry of Foreign Affairs of the Azerbaijani Republic.

I should be grateful if you would have this letter and the above-mentioned statement circulated as a document of the Security Council.

(*Signed*) Hassan A. HASSANOV
Permanent Representative
of Azerbaijan
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

In accordance with the Act of the Azerbaijani Republic on the Referendum and the resolution of the National Assembly (Parliament) of Azerbaijan of 29 July 1993, a national referendum was held in the Azerbaijani Republic on 29 August 1993 to determine the nation's confidence in Abulfaz Elchibey, the President of the Azerbaijani Republic. The aforementioned decision of the highest legislative organ of Azerbaijan was taken in connection with the sudden departure, on 15 June 1993, of President Elchibey to the remote mountain village of Keleki in Ordubad district of Azerbaijan, where he spent more than two months and lost contact with the leaders of the organs of State administration and was virtually unable to perform his duties as head of State. This situation posed an immediate threat to Azerbaijani statehood, led to the near collapse of the structures of State power and administration, heightened tension in social and economic life and sharply exacerbated the already complicated situation in the region of the Armenian-Azerbaijani conflict.

In the opinion of many official representatives of foreign States and correspondents from leading world news agencies who observed the referendum, the referendum was held in a spirit of legality and in accordance with democratic principles. No violations of the Act on the Referendum or of Parliament's Resolution on the Conduct of the Referendum were noted at the polling stations. Everywhere, the necessary conditions were created to ensure the participation in the voting of refugees and displaced persons who had been forced to leave their homes as a result of the occupation of Azerbaijani lands by the Armenian armed forces.

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* Circulated under the double symbol A/47/1010-S/26402.

It should also be noted that, at the invitation of the Azerbaijani side, the conduct of the referendum was observed by the Conference on Security and Cooperation in Europe. Official representatives of China, Egypt, Greece, Iran, the Russian Federation, Turkey, the United Kingdom and the United States of America also took part as observers. In order to ensure objectivity and openness in the conduct of the referendum, representatives of 32 Azerbaijani political parties and movements were attached to district election commissions. The referendum was covered by correspondents from leading world news agencies, such as Associated Press, United Press International, Reuters, Agence France Presse and others.

In spite of the complicated social and political situation in the country, the citizens of the Azerbaijani Republic demonstrated a high level of political activity in the referendum. Ninety-two per cent of Azerbaijani citizens eligible to vote took part in the voting; 97.5 per cent of those who took part in the referendum expressed their lack of confidence in President Abulfaz Elchibey.

The Ministry of Foreign Affairs of the Azerbaijani Republic declares that the national referendum was conducted in keeping with the generally accepted international norms and is confident that the results of the referendum will serve to strengthen democratic principles in Azerbaijan.

DOCUMENT S/26404

Letter dated 1 September 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*3 September 1993*]

I have the honour to refer to Security Council resolution 858 (1993) adopted on 24 August 1993, by which the Council decided to establish a United Nations Observer Mission in Georgia (UNOMIG).

Having completed the necessary consultations, I propose that the military observers of UNOMIG be from the following States, all of which have expressed their readiness in principle to make the necessary personnel available: Austria, Bangladesh, the Czech Republic, Denmark, Germany, Greece, Poland, Sierra Leone, Sweden and Switzerland.

I am awaiting a reply from certain other States which have been informally approached and will revert to the Security Council when I have an indication of whether they are also ready in principle to contribute military personnel to this mission.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/26406

Letter dated 3 September 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*6 September 1993*]

Upon instructions from my Government I would like to draw the attention of the members of the Security Council to the unbearable and dangerous situation, now in its second year, that has been a cause of suffering in the Croatian towns of Zadar and Biograd and their outlying areas.

The towns of Zadar and Biograd, with their surrounding areas, sheltering more than 100,000 inhabitants and refugees, while being under constant shelling by Serbian irregulars from United Nations Protected Areas, are deprived of normal water supply. On 9 September 1991 the Serbian irregulars, with the help of the so-called "Yugoslav Army", have cut the water supply lines for the area from the main water supply station on Zrmanja river in Zadar hinterland, and also shut down the water supply system in Kakma in the vicinity of Biograd. Since that time, the population has depended on alternative water supply sources that are not adequate, either in quantity or quality of water. Through enforced rationing, running water is available only for a couple of hours every third day, thus creating a situation that, aside from being extremely unpleasant in summer heat, can also be the cause of serious diseases.

The combined capacity of all alternative water sources that supply Zadar with water has been reduced to 150 litres/second, as compared to the pre-war standard of 1,000 litres/second. Additional water is being brought in by ship tankers from other areas of Croatia, but the effort cannot much improve conditions for inhabitants, refugees and displaced persons.

Severe drought that has hit the Adriatic coast this year further aggravated the situation in the area so that it has reached the proportions of humanitarian disaster.

The Government of Croatia has made a consistent effort to resolve the problem through negotiations within the framework of comprehensive negotiating process under the auspices of the United Nations Protection Force (UNPROFOR), but with no visible results.

The Croatian Government urges that the problem of water supply of the Zadar and Biograd regions be treated as a serious humanitarian problem, which must be resolved independently of the comprehensive negotiating process. An immediate and determined United Nations action is required because the water resources should not be used as weapons in a political process.

Therefore my Government is addressing the Security Council requesting its action towards full re-establishment of the water supply system for Zadar and Biograd under the existing UNPROFOR mandate, by putting the water supply stations on Zrmanja river and in Kakma under efficient UNPROFOR control.

I would ask for your kind assistance for circulating this letter as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

DOCUMENT S/26408

Letter dated 7 September 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*7 September 1993*]

I have the honour to transmit to you herewith the text of a statement issued on 6 September 1993 by the Foreign Ministry of the Republic of Armenia.

I should be grateful if you would circulate the statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia to the United Nations

TEXT OF THE STATEMENT

The Ministry of Foreign Affairs of the Republic of Armenia expresses its deep concern regarding threatening statements made by neighbouring States and news reports of military movements in the region, which have created an atmosphere of distrust and alarm.

These actions, ostensibly in reaction to the situation on the ground or to domestic public opinion, are occurring at a time when there is a significant decline in military activities as well as improvement in the diplomatic arena.

During the past few days an agreement has been reached between Azerbaijan and Nagorny Karabakh, mediated by the Russian Federation, to extend the cease-fire. Nagorny Karabakh has unilaterally withdrawn its armed forces from the Kubatli region at the request of the President of the Republic of Armenia. Agreement has also been reached to continue the direct dialogue between the two parties to the conflict at the highest level. In addition, at the invitation of the chairmanship and with the agreement of all concerned, the informal consultations of the Minsk Group will resume in Moscow on 9 September 1993.

These developments inspire confidence that the parties to the conflict have finally reached the conclusion that a military solution to the problem is undesirable and impossible and that the end of the conflict may be near.

Under the circumstances, the Ministry of Foreign Affairs of Armenia would expect all concerned to manifest restraint and caution. It is especially important that neighbouring and other concerned States resist the temptation to use the Nagorny Karabakh conflict for the pursuit of larger aims, thus exacerbating the situation and complicating further the resolution of the conflict. Neutrality in the conflict, concern for regional security and circumspection remain necessary conditions to all mediation efforts.

The Ministry of Foreign Affairs of the Republic of Armenia appeals to the international community and individual States to support more actively current efforts for peace and to join Armenia in using their influence with the parties to the conflict not to resume military operations and to implement Security Council resolutions 822 (1993) and 853 (1993).

We are also hopeful that the international community will act in time to prevent the internationalization of the conflict.

DOCUMENT S/26409

Letter dated 7 September 1993 from the representative of Armenia to the President of the Security Council

[*Original: English*]
[*7 September 1993*]

I have the honour to transmit to you herewith the text of a statement issued on 7 September 1993 by Mr. Robert Kocharian, the Chairman of the State Defence Committee of Nagorny Karabakh.

I should be grateful if you would circulate the statement as a document of the Security Council.

(*Signed*) Alexander ARZOUMANIAN
Permanent Representative
of Armenia
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

The stabilization of the political situation in Azerbaijan that has begun to take place creates favourable conditions for practical steps towards a peaceful settlement of the conflict.

Making every effort to promote the peace process, the leadership of the Nagorny Karabakh Republic has given an order for the withdrawal of units of the Defence Force from the town of Kubatli and a number of adjacent villages, and the withdrawal has already taken place.

The Nagorny Karabakh Republic makes no claim to Azerbaijani territory; the actions of the Nagorny Karabakh Defence Force are exclusively countermeasures, and are dictated only by considerations relating to the security of the Republic's population.

The leadership of the Nagorny Karabakh Republic attaches great importance to the dialogue with Azerbaijan that has been initiated and to the forthcoming meeting of the Minsk Group in Moscow, and confirms once again its readiness to review the whole range of questions relating to a peaceful settlement of the Nagorny Karabakh problem, and in the first place the issues of a cease-fire and the withdrawal of troops from the territories captured.

We express the hope that the authorities in Azerbaijan are also ready to take practical steps towards the effective conduct of the peace process.

DOCUMENT S/26410

Letter dated 3 September 1993 from the representative of Angola to the President of the Security Council

[*Original: English*]
[*7 September 1993*]

I have the honour to transmit the following message from Mr. Venancio de Moura, Minister of External Relations of the Republic of Angola, with the request that this document be circulated as a document of the Security Council.

(*Signed*) Josefa COELHO DA CRUZ
Chargée d'affaires a.i.
of the Permanent Mission of Angola
to the United Nations

LETTER DATED 1 SEPTEMBER 1993 FROM THE MINISTER OF EXTERNAL RELATIONS OF ANGOLA TO THE PRESIDENT OF THE SECURITY COUNCIL

We have knowledge of a letter addressed during the month of August to the President of the Security Council by the representative of the National Union for the Total Independence of Angola (UNITA) in the United States regarding recent statements by Mr. Jonas Savimbi indicating UNITA would be inclined to accept an unconditional cease-fire.

The Angolan Government received this news with some reservation, owing to the fact that similar positions have been taken on many other occasions without any practical relation to the real intentions of UNITA. This was proven by that organization's behaviour during meetings since October 1992, namely, those in Namibe, Angola; Addis Ababa, Ethiopia; and Abidjan, Côte d'Ivoire.

On each of these occasions, the Angolan Government, the United Nations and the troika (observers) saw themselves becoming involved in a veritable UNITA trap. UNITA sought time after time, through the most varied stratagems, to ease international pressures to which it was being subjected, in order to cover its reorganization for new military actions.

This has been a repeated practice to which UNITA has made us all accustomed, and regarding which we think it necessary to take energetic action to ensure that, once and for all, UNITA understands that it will not be able to challenge with impunity the international community.

Since actions speak louder than words, the Angolan Government has always hoped that UNITA statements would be followed by concrete action demonstrating political will, with the goal of finding a negotiated solution to the Angolan conflict.

By its not acting in this manner, we may conclude that the UNITA position, instead of indicating a serious wish to negotiate the re-establishment of peace in Angola with the Government, intends exactly the opposite. In effect, one can surmise UNITA's apprehension that the Security Council will adopt more forceful concrete measures to coerce it to accept a dialogue based upon the Bicesse Accords, sign the Abidjan protocol as it was negotiated and agreed, and adhere to the pertinent resolutions of the United Nations Security Council, the body over which you currently preside.

UNITA intends purely and simply to ignore the results of all efforts developed by the United Nations and the international community which seek to contribute in an overall manner to the restoration of peace in Angola. It insinuates that it is necessary to start this process again from the beginning. As such, UNITA has resorted to a series of fallacious arguments in order to justify the senseless war which it unleashed after having lost the elections considered free and fair in September 1992, preferring to immerse the country in a political and humanitarian crisis without precedent.

I should like to take this opportunity to express the willingness of the Angolan Government to renew discussions with UNITA at any time and in any location mutually agreed, as long as the organization communicates unmistakably its interest in negotiating a definitive cease-fire, indicating to the Special Representative of the Secretary-General in Angola that it will do this based on respect for the Bicesse Accords, the Abidjan protocol and the resolutions of the Security Council, namely, resolutions 804 (1993), 811 (1993) and 851 (1993).

(*Signed*) Venancio DE MOURA
Minister of External Relations

DOCUMENT S/26412

Letter dated 7 September 1993 from the representative of Somalia to the President of the Security Council

[*Original: English*]
[*7 September 1993*]

At the outset, I wish to extend my gratitude to you and the members of the Security Council for your sustained commitment to peace and your consistent efforts to restore it in my country - Somalia - for the benefit of my people first. I am sure that you and all the members of the Council have been disturbed by the death and injury of United Nations peace-keepers in the process. In this regard, I wish to condemn those acts of brutality, the latest of which claimed the lives of the seven Nigerian peace-keepers, and join you to express my deepest regrets, on behalf of all peace-loving Somalis, at the sad deaths and injuries of all those inflicted in this most noble mission.

Furthermore, I wish to commend the Secretary-General for his timely report [*S/26317*] on the situation in Somalia. In this connection, I wish to react to some issues of current relevance to the situation with a view to sharing them with you and the members of the Council.

I would therefore be very grateful if this letter and its annex are circulated as a document of the Security Council.

(*Signed*) Fatun M. HASSAN
Chargé d'affaires a.i.
of the Permanent Mission of Somalia
to the United Nations

ANNEX

Some issues relevant to the current state of affairs of Somalia

Despite obvious difficulties and challenges, such as those reported by the Secretary-General [*S/26317*], the United Nations operations in Somalia have been successful thus far. The bloody inter-clan warfare has almost stopped. Deaths due to starvation have come down from several hundred a day in November 1992 to almost none. The violence in the triangle between Kismayo, Bardera and Mogadishu that was largely responsible for the starvation and wanton death is now limited to a pocket in the south of Mogadishu. It must be also gratifying to note that the need for emergency food is coming to an end very soon. This is indicative of the fact that with improved security, and peace in the making, people are now able to produce their own food. The inter-communal peace agreements in Kismayo, Galkayo, Boroma and the ongoing talks between communities of the Sanag region in Erigavo are all indications of progress to the right direction. The establishment of civil structures in many districts is very encouraging.

Given these facts, logic would dictate that those arguments which maintain that the United Nations efforts is Somalia have left much to be desired are therefore baseless and self-defeating. In fact, one sometimes wonders whether they are not motivated by vested interest or they are not simply mere insinuations driven by ulterior motives. It appears, however, that whatever success attained has been achieved, and may well be maintained, at a cost to the international community and I hope that the world will continue bearing with us. Unfortunately, the costs have sometimes involved the regrettable loss of lives and I pray that no more lives are lost.

In this regard, I wish I could express enough regrets, on behalf of all peace-loving Somalis, to the international community for those brutal incidents that have claimed the lives of 47 peace-keepers and inflicted injuries on 175, the latest of which was that of 4 September 1993 in which, sadly, seven Nigerian peace keepers were killed. Our condolences go to the nations, governments, organizations, families and friends of all those who lost their lives as well as those who have sustained injuries in the pursuit of a most noble objective - enforcing peace and facilitating for humanity, justice, freedom and democracy to prevail in Somalia - as part of a truly non-partisan international effort.

Having expressed this most deserved tribute to those who earned it so truly and gloriously, I must express my dismay at those disheartening voices preposterously calling for reversing the merits of an almost successful effort. Indeed, given the achievements as of last fall, any logical and rational assessment would encourage a more concerted international effort to enhance the effectiveness of the United Nations Operation in Somalia (UNOSOM II) by removing the obvious constraints and consolidating the progress made to speed up the momentum of success achieved thus far.

Notwithstanding the resolutions of the Security Council, it is saddening to note that planned resources and scheduled re-enforcement were not arriving in time, or were not adequate or complete when they arrived, for UNOSOM II to implement its mandate as conceived. Nevertheless, I find it neither too early nor too late to extend my thanks to all those states members of the United Nations and non-governmental organizations who have made their contributions, in whatever form or amount.

I have a feeling that the disquiet from some quarters may be related to a failure to fully grasp the mandate, rationale and objectives of UNOSOM II as determined by the unique situation of present-day Somalia. UNOSOM II's mandate was clearly stipulated in paragraph 57 of the Secretary-General's report [*S/25354*] and subsequently approved under Security Council resolution 814 (1993), including:

(*a*) To ensure that all factions continue to respect the cessation of hostilities and other agreements to which they all agreed;

(*b*) To prevent any resumption of violence and, if necessary, take appropriate action against any faction that violates or threatens to violate the cessation of hostilities;

(*c*) To maintain control of heavy weapons; and

(*d*) To protect, as required, the personnel installations and equipment of United Nations and its agencies and to take forceful action as may be required to neutralize armed elements that attack or threaten to attack, such facilities and personnel, pending the establishment of a new Somali police force.

However, in paragraph 56 the report also made it clear, by way of justification, that "without improved security all over the country the political process cannot prosper and humanitarian operations will remain vulnerable to disruption". This mandate was, I believe, adopted by the Security Council with the goal - in the words of the Secretary-General in paragraph 41, "to assist the people of Somalia to create and maintain order and new institutions for their own governance".

Given this mandate, rationale, goal and the relevant Addis Ababa accords signed by the Somali factions, it is not true that the United Nations is doing the wrong thing is Somalia in response to the perpetrators of the actions of violence that gave rise to the incident of 5 June and its sequels. The repetition of these incidents emphasizes the wisdom in the Secretary-General's repeated calls for disarming. Counter-arguments advocating the reverse are not, therefore, tenable. If, however, the current debate is critical of UNOSOM's delay to contain the elements for a re-enforced moral, material and political support to the operation on the part of the international community. Indeed, one cannot over-emphasize, where they exist, those administrative and logistical difficulties that have hampered and continue to impede, the capacity of UNOSOM II from the outset and to which the Secretary-General's report [*S/26317, page 4, para 9*] refers as "acute growing pains" [*S/26317, para 9*].

With regard to what UNOSOM is not, and should not be doing, I wish to refer, once again, to the Secretary-General's observation in paragraph 92 of his report [*S/25354*]:

> "... I continue to hold to my conviction that the political will to achieve security, reconciliation and peace must spring from the Somalis themselves. Even if it is authorized to resort to forceful action in certain circumstances, UNOSOM II cannot and must not be expected to substitute itself for the Somali people. Nor can or should it use its authority to impose one or another governmental organization. It may and should, however, be in a position to press for the observance of the United Nations standards of human rights and justice."

I have no reason to doubt that UNOSOM adheres to and will continue to abide by these principles. Never the less, unfounded mistrust by any skeptic or hostile group could provoke a clash of interest with UNOSOM's mandate and rules of engagement, hence complicating matters much more to prolong the process only so much. Those situations, however, should not necessarily result in the premature termination of operations or a panicky change of heart or course. By the same token, I am sure that UNOSOM would seriously consider the grievances of any disgruntled group(s) and accommodate them in any possible way that would not undermine the principles of human rights and justice as determined by international laws and binding agreements reached between the Somali factions.

While I strongly believe that those who perpetrate crimes against humanity, in defiance of international laws and locally binding agreements, should be brought to justice; I trust that UNOSOM will also ensure that no single Somali faction, political group, movement, clan or sub-clan is, or will be, excluded in any way if the reconciliation process must succeed. Furthermore, no such actions as might be peace enforcing, be they sanctioning or condemning, should appear to be favouring any group(s) over any other(s) whether by intent or by default. I am sure that the Council will agree with this position and I trust that UNOSOM has no intention of compromising it.

In conclusion, it is my considered and sincere view that the United Nations intervention is on the right course and there should be no disquiet related to the role, objectives and mandate of UNOSOM II. Both wisdom and economy of effort would, therefore, suggest that it is not only premature, but also unwarranted, to even consider the change of the course of operations at this stage. But, I also believe that the United Nations is ultimately accountable for UNOSOM's capacity to implement its mandate. In this case, all States Members of the United Nations are competent, since such a colossal task requires the undivided international support, as demanded by relevant Security Council resolutions.

Firstly, I hold to the firm conviction that it takes so much as the collective international will and strong commitment of all governments to enable UNOSOM implement its mandate and achieve its objective. I can, therefore, only plead with all States Members of the United Nations to continue their support to the United Nations programme in Somalia and bring their will and weight to bear on the effectiveness of UNOSOM in this most critical stage of the process.

Secondly, one can only appreciate the commendable part played by the United States, as a competent partner in the United Nations and a senior member of the Security Council, to supplement UNOSOM's capacity in the face of all those difficulties highlighted in the Secretary-General's report [*S/26317*]. I, therefore, sincerely hope that the United States will maintain the pivotal role it has played in the Somali crisis and will continue providing positive re-enforcement to the United Nations Operations in Somalia during its critical embryonic stage.

Finally, disarming is, and should be, considered as an issue ranking high in the order of efforts to enforce peace in Somalia, an important step in the process of restoring law-and-order, a wise tactical move in an appropriate strategy for peace keeping and, most importantly, a relevant measure which is consistent with the approved mandate of UNOSOM II, the Addis Ababa agreement of 28 March 1993 and the wishes of all peace-loving Somalis. Hence, I am inclined to support the Secretary-General's repeated emphasis on disarming and I hope that the international community will respond to this call with due fervor for its importance. I, therefore, beseech the members of the Security Council to collectively and strongly re-emphasize the early implementation of this measure.

DOCUMENT S/26417

Letter dated 8 September 1993 from the representative of Belgium to the President of the Security Council

[*Original: French*]
[*15 September 1993*]

I have the honour to transmit herewith the French and English texts of the statement on Nagorny Karabakh issued by the European Community and its member States on 3 September 1993.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Paul NOTERDAEME
Permanent Representative of
Belgium to the United Nations

TEXT OF THE STATEMENT

[*Original: English and French*]

The Community and its member States condemn the recent offensives by local Armenian forces in Nagorny Karabakh, which are making deeper and deeper incursions into Azerbaijani territory. They note with regret that such actions are extending the area of armed conflict to encompass more and more of Azerbaijani territory and are creating a very serious refugee problem in Azerbaijan and one already involving neighbouring countries, with a concomitant increased threat to regional security. The Community and its member States reaffirm their support for the territorial integrity and sovereignty of the States in the region.

The Community and its member States fully support the efforts being made by the Minsk Group within the framework of the Conference on Security and Cooperation in Europe (CSCE) to consolidate the provisional cease-fire decided on 31 August 1993 between the Nagorny Karabakh authorities and the Azerbaijan Government. They urge both parties to embark on any form of additional dialogue which would make it possible to implement the timetable on which there was agreement in principle by all parties at the end of June. The Community and its member States also hope to see local Armenian forces in Nagorny Karabakh fully respect Security Council resolutions 822 (1993) and 853 (1993), and withdraw from the regions of Kelbadjar, Agdam, Fizuli and Djebrail. The Community and its member States have no evidence that Azerbaijan would be capable of initiating major attacks from these regions.

The Community and its member States call on the Government of the Republic of Armenia to use its decisive influence over the Armenians of Nagorny Karabakh to see that they comply with resolutions 822 (1993) and 853 (1993) and the proposals of the CSCE Minsk Group. The Community and its member States call upon Armenia to ensure that the local Armenian forces carrying out offensives in Azerbaijan territory are not given the material means of further extending such offensives.

DOCUMENT S/26418

Letter dated 7 September 1993 from the representatives of France, Spain and the United Kingdom of Great Britain and Northern Ireland to the President of the Security Council

[*Original: Spanish*]
[*8 September 1993*]

We have the honour to bring to your attention the French and English text of the statement on Bosnia and Herzegovina adopted by the European Community and its member States on 3 September 1993.

We should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*)
Jean-Bernard MERIMEE
Permanent Representative
of France

(*Signed*)
Juan A YAñEZ-BARNUEVO
Permanent Representative
of Spain

(*Signed*)
Sir David HANNAY
Permanent Representative
of the United Kingdom
of Great Britain
and Northern Ireland

TEXT OF THE STATEMENT

[*Original: English and French*]

The Community and its member States have learnt with concern and regret of the interruption of the Geneva negotiations on Bosnia and Herzegovina. In this context, they pay tribute to the efforts of the Co-Chairmen. They remain convinced that only an agreement negotiated and accepted by the parties in accordance with the principles of the London Conference and the conclusions of the European Council in Copenhagen will make it possible to resolve the conflict. They reaffirm their readiness to participate actively in the implementation of such an agreement and the guarantees implied by it on the basis of a mandate sufficient to ensure its implementation.

The Community and its member States strongly urge the three parties to ensure that what has been achieved by the Conference is not lost and in particular that the confidence-building measures foreseen during the most recent meetings in Geneva can be applied without delay, and that, in the interests of the long-suffering population, there are no longer any obstacles to humanitarian convoys.

The Community and its member States urgently call on the parties to refrain from any action likely to lead to a resumption of hostilities. They recall the decision of the Atlantic Council of 9 August 1993 concerning actions which could be taken further to relevant resolutions of the Security Council. They invite the parties to resume negotiations without delay.

DOCUMENT S/26419

Letter dated 7 September 1993 from the representative of Croatia to the Secretary-General

[*Original: English*]
[*8 September 1993*]

I have the honour to submit the text of a letter by the President of the Republic of Croatia, Mr. Franjo Tudjman, addressed to the president of the Croatian Community of Herzeg-Bosnia, Mr. Mate Boban, concerning the situation with the humanitarian convoys.

I would be grateful if you would provide for the distribution of this letter as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

TEXT OF THE LETTER

It is with immense and historical responsibility that I address you and the governing body of the Croatian Republic of Herzeg-Bosnia, at this crucial time of survival for the future of the Croatian people in the neighbouring Republic of Bosnia and Herzegovina, and for the future of Bosnia and Herzegovina as an integrated country comprised of three equal peoples.

We welcome the declaration of the Croatian Republic of Herzeg-Bosnia as the inevitable outcome of the difficult and tragic events, provoked first by Serbian, and then Muslim aggression, as an expression of the Croatian people's political will in Bosnia and Herzegovina, and as a guarantee of their sovereignty and equality of an integrated and independent Bosnia and Herzegovina.

On this basis, I would like once again to strongly appeal that in all your actions you govern with utmost respect for human dignity, fundamental human values and rights, and strictly implement the international war and humanitarian laws. Serbian aggression and the subsequent Muslim aggression against Croatian territory in this entire horrific war have brought intolerable suffering to an innocent population of women, children, elderly, sick, injured, exiled and the inhabitants in the besieged cities and towns. The obligation is upon those capable of influencing the present situation to do all in their power to prevent, eliminate or ease the suffering. That is the obligation to one's own conscience, to the conscience of your people and in accordance to international public opinion.

Therefore, I appeal to you, strongly condemning at the same time, all violations of international war and humanitarian laws, to do all that is necessary for the territories of the Croatian Republic of Herzeg-Bosnia to immediately ensure humane treatment of all the detainees in the detention camps, in accordance with the international humanitarian laws and the Geneva Convention.

Furthermore, I ask you to immediately allow free access to the International Committee of the Red Cross to reach the detention camps, which until now have been inaccessible, in order to take an account of the prisoners of war, to arrange their release or exchange, applying the principle of "all-for-all" in accordance with the international convention.

I would like to remind you of my interventions in favour of free passage for humanitarian convoys. Again, I appeal to you to disallow any obstacles in delivering humanitarian aid to all in need, to use everything in your power to offer every assistance to the international humanitarian organizations and the United Nations in their humanitarian mission.

At the same time, I invite all other warring parties in Bosnia and Herzegovina to do the same, and ultimately end the frustration of humanitarian efforts which has pressured the civilian population in Bosnia and Herzegovina for the past two years. In this way, it would bring about a peace process and enable genuine peace, which is in the interest of all peoples in the afflicted area of Bosnia and Herzegovina, and also in the interest of peace and stability in the entire territory.

DOCUMENT S/26420

Letter dated 3 September 1993 from the representative of India to the Secretary-General

[*Original: English*]
[*8 September 1993*]

I have the honour to enclose herewith a statement on Bosnia-Herzegovina made by the official spokesman of the Ministry of External Affairs of the Government of India on 3 September 1993.

I would be grateful if you would provide for the distribution of the text of this letter as a document of the Security Council.

(*Signed*) M. H. ANSARI
Permanent Representative
of India
to the United Nations

TEXT OF THE STATEMENT

The Government of India has noted with the greatest regret the suspension of the peace talks in Geneva between the three communities of Bosnia-Herzegovina. India has always laid stress on the urgent need for the three communities to arrive at a common irreversible political agreement to end the tragic ongoing conflict in Bosnia-Herzegovina. India remains committed to the principle that the gains made by aggression cannot be allowed to prevail in the eventual final settlement, which has to be patently fair, reasonable and acceptable to the three communities alike. India hopes that the three communities will return to the negotiating table in Geneva with cooperation and goodwill to bring an end to the horror of the continuing conflict with all its attendant human sufferings. India supports the efforts of the Co-Chairmen of the International Conference on Yugoslavia to continue to extend their good offices to the three communities in negotiating a political settlement.

DOCUMENT S/26421

Letter dated 8 September 1993 from the representative of India to the Secretary-General

[*Original: English*]
[*10 September 1993*]

I have the honour to enclose herewith a statement on the conflict between Armenia and Azerbaijan over Nagorny Karabakh made by the official spokesman of the Ministry of External Affairs of the Government of India on 7 September 1993.

I would be grateful if you would provide for the distribution of this letter as a document of the Security Council.

(*Signed*) M. H. ANSARI
Permanent Representative
of India
to the United Nations

TEXT OF THE STATEMENT

My Government has followed with great concern the escalation of hostilities in and around Nagorny Karabakh with the considerable ingress of Armenian forces into Azerbaijan. While expressing support for the efforts of the Security Council and the Conference on Security and Cooperation in Europe to bring about a peaceful settlement of the Nagorny Karabakh issue, India recalls the Alma Ata Declaration of December 1991 [*S/23329, annex II*], signed by the Heads of State of the republics of the Commonwealth of Independent States, including both Armenia and Azerbaijan, which, *inter alia*, called for "abstention from the use of force and the threat of force and from economic and any other methods of bringing pressure to bear, peaceful settlement of disputes" and "respecting each other's territorial integrity and the inviolability of existing borders". My Government appeals to the parties concerned urgently to take the remedial steps required to respect international borders, to restore peace and to resolve mutual differences through early peaceful negotiations.

DOCUMENTS S/26422 AND ADD.1

Report of the Secretary-General

[*Original: English*]
[*9 September 1993*]

DOCUMENT S/26422

INTRODUCTION

1. In my report of 2 August 1993 [*S/26200*] I drew the attention of the Security Council to the main features of the peace agreement signed at Cotonou on 25 July by the three parties to the conflict in Liberia. The agreement called for the United Nations and the Economic Community of West African States (ECOWAS) Military Observer Group (ECOMOG) to supervise and monitor the implementation of the agreement. In the report, I also informed the Council of the dispatch of a planning mission to Liberia to gather data relevant to the proposed establishment of a United Nations Observer Mission in Liberia (UNOMIL), and of my intention to commence planning for the dispatch to Liberia as soon as possible

of an advance team of United Nations military observers. On 10 August the Council adopted resolution 856 (1993), by which it approved the dispatch of an advance team of 30 military observers to Liberia to participate in the work of the Joint Cease-fire Monitoring Committee which, according to the agreement, is to be chaired by the United Nations.

2. The present report is submitted pursuant to paragraph 3 of resolution 856 (1993), by which the Security Council requested a report on the proposed establishment of UNOMIL including, in particular, a detailed estimate of the cost and scope of the operation, an explanation of how coordination between UNOMIL and ECOMOG would be ensured and the respective roles and responsibilities of UNOMIL and ECOMOG in the implementation of the agreement. These issues received the special attention of the planning mission during its visit to Liberia and are elaborated upon below.

I. PLANNING MISSION TO LIBERIA

3. The planning mission to Liberia, headed by Brigadier-General (retired) Ian Douglas of Canada, arrived in Monrovia on 6 August and remained in the country until 13 August. It met with the three Liberian parties - the Interim Government of National Unity of Liberia (IGNU), the National Patriotic Front of Liberia (NPFL) and the United Liberation Movement of Liberia for Democracy (ULIMO) - and had several extensive meetings with ECOMOG. The mission gathered all relevant data required to prepare a plan for UNOMIL. I am pleased to inform the Council that the mission has reported the strong commitment of the parties to the peace agreement and the desire expressed by all Liberians they met for an end to hostilities and a lasting peace.

4. In travelling by road from Monrovia to Gbarnga, the mission was the first group to cross the front line since October 1992, thus establishing a precedent for opening up the road to normal traffic. Although not strictly within its mandate, the planning mission contributed to achieving a positive decision on the cross-line delivery of relief supplies from Monrovia to NPFL areas. Other avenues of access were actively explored, including cross-border routes from Côte d'Ivoire and Guinea. It has been agreed that, where necessary, humanitarian assistance will be allowed to move across borders with inspection, in accordance with the peace agreement, by United Nations personnel and ECOMOG. The planning mission also emphasized to all parties the importance of ensuring the security of all humanitarian relief workers.

5. The planning mission facilitated the first meeting of the Joint Cease-fire Monitoring Committee, which was held at Monrovia on 13 August. All parties and ECOMOG attended the meeting which, in accordance with the peace agreement, was chaired by the United Nations. The parties met in a friendly atmosphere and discussed the working procedures of the Committee. This first meeting of the Joint Committee and the opening of cross-line delivery of relief supplies are important steps forward in the confidence-building process.

II. INITIATION OF THE PEACE PROCESS

6. Following the adoption of resolution 856 (1993) authorizing the deployment of an advance team of United Nations military observers to Liberia, a senior military officer present in Liberia with the planning mission remained in Monrovia as the Chief of the advance team. The rest of the advance team started arriving in Monrovia on 20 August and the full complement is expected in the country in the coming days. At that point, ECOMOG troops and United Nations military observers will be deployed to various parts of Liberia to monitor the cease-fire. In consultation with the parties, the advance team and ECOMOG will draw up the schedule of implementation of the peace agreement. In accordance with the peace agreement, the Liberia National Transitional Government is to establish itself in Monrovia concomitant with the start of the disarmament process. The members of the Council of State of the Liberia National Transitional Government were selected in Cotonou on 17 August. In accordance with the agreement, once the Transitional Government is established, both IGNU, as a Government, and the National Patriotic Reconstruction Assembly Government of NPFL will cease to exist.

7. As provided in the peace agreement, a Joint Cease-fire Monitoring Committee composed of representatives of the three parties, ECOMOG and the United Nations has been established and, as mentioned above, met for the first time on 13 August. Cease-fire violations are reported to the Chairman of the Committee. Should the Committee deem an on-site investigation of an incident necessary, subgroups of the Committee, comprising representatives of all members of the Committee, will investigate the incident. The subgroups will report to the Committee for its further deliberation.

8. To date, eight alleged violations of the cease-fire have been reported and have been addressed by the Joint Cease-fire Monitoring Committee so that all parties fully understand their responsibilities under the peace agreement. These reported violations include the movement of troops and obstruction of delivery of humanitarian assistance. The Joint Committee will, in accordance with the peace agreement, terminate upon the full deployment of ECOMOG and UNOMIL and will be replaced by a Violations Committee.

9. The Violations Committee would consist of one person from each of the parties, ECOMOG and UNOMIL and would be chaired by UNOMIL. All violations of the cease-fire would, in the first instance, be reported directly to UNOMIL, which would investigate the incident. If the violation cannot be corrected, UNOMIL would report its findings to the Violations Committee for resolution. After determination by the Violations Committee, should the parties not correct the violation, ECOMOG would be informed and could thereupon, under the authority of ECOWAS and in accordance with the provisions of the peace agreement, resort to the use of its peace enforcement powers to correct the violation.

III. STRUCTURE OF THE UNITED NATIONS OBSERVER MISSION IN LIBERIA

10. The concept of the peace process as envisaged in the Cotonou agreement is a continuum from the cease-fire through disarmament and demobilization to the holding of national elections. In accordance with the agreement, "ECOMOG and the United Nations Observer Mission shall supervise and monitor the implementation of the agreement" (article 3). As noted in my report of 2 August, the agreement assigns ECOMOG the primary responsibility for ensuring the implementation of the provisions of the agreement and envisages that UNOMIL will monitor the various implementation procedures in order to verify their impartial application.

11. Should the Security Council authorize the establishment of the Observer Mission, UNOMIL would be under the command of the United Nations, vested in the Secretary-General under the authority of the Council. The mission would be led in the field by my Special Representative, Mr. Trevor Gordon-Somers, and would be composed of military and civilian components. Command of the military component would be entrusted to a Chief Military Observer reporting to me through my Special Representative. The civilian components of UNOMIL would include humanitarian and development assistance, electoral assistance, as well as necessary political and administrative staff. The UNOMIL military component

would be composed of personnel made available by Member States, while the civilian components would be, as far as possible, made up of United Nations staff members, with supplementary external recruitment as required.

IV. CONCEPT OF OPERATIONS

12. ECOMOG, which has been on the ground since 1990, has worked out a detailed concept of operations covering all the provisions of the peace agreement and under which ECOMOG troops would be stationed at entry points, airports and seaports to ensure compliance with the embargo on delivery of arms and military equipment to Liberia imposed by the Security Council in its resolution 788 (1992). As called for in the agreement, ECOMOG would create buffer zones along the Liberian borders and supervise the cantonment, disarmament and demobilization of combatants. For operational purposes, ECOMOG has divided the country into four sectors: Eastern, Northern, Western and Greater Monrovia. These sectors are shown on the map which is contained in annex I to the present report. ECOMOG will station troops throughout the four sectors. These troops will, *inter alia*, undertake the recovery of arms and will patrol areas where ECOMOG does not have stationary troops. In order to fulfil the requirements of the peace agreement, ECOMOG is planning to expand its forces in Liberia by 4 000 troops to be deployed throughout the country, complying with an understanding reached in the course of the negotiations on the agreement.

13. Since the role foreseen for UNOMIL is to monitor and verify the implementation of the agreement, its concept of operation necessarily must be parallel to that of ECOMOG. For UNOMIL's purposes, ECOMOG's four sectors would be referred to as "regions". UNOMIL would thus have four regional headquarters co-located with ECOMOG's four sector headquarters. UNOMIL would deploy observer teams in concert with ECOMOG deployment, including border crossings, airports and seaports. As UNOMIL would monitor and verify cantonment, disarmament, the storage of recovered arms, ammunition and explosives, and demobilization, UNOMIL would also locate teams at cantonment sites and armouries. UNOMIL and ECOMOG would collaborate closely in their operations. This would not, however, impede UNOMIL's ability to operate independently as required. UNOMIL would have mobile investigation teams to accompany ECOMOG patrols. The investigation teams would be stationed at the four regional headquarters (with two teams at the northern regional headquarters). Since UNOMIL would have monitoring functions, its teams would be far smaller than ECOMOG's, which have the task of implementing the agreement.

14. As UNOMIL would be the first instance where the United Nations would undertake a major peace-keeping operation with another organization, in this case a subregional organization, the planning mission paid special attention in its discussions with the ECOMOG Field Commander to the respective roles and relationship between UNOMIL and ECOMOG in implementing the agreement. It was agreed that the following elements would underlie the relationship between UNOMIL and ECOMOG: (*a*) UNOMIL and ECOMOG would have separate chains of command; (*b*) decisions affecting both UNOMIL and ECOMOG would be made through consultation both formally (Violations Committee) and informally; (*c*) neither UNOMIL nor ECOMOG could direct the other in its actions; (*d*) should ECOMOG enter into planned peace enforcement involving combat operations, UNOMIL observers would not participate in such actions and would, along with other United Nations staff, be temporarily withdrawn from the area; (*e*) should ECOMOG find itself constrained to enter into unplanned, self-defensive military actions, ECOMOG would have the obligation to ensure the security of UNOMIL observers and other United Nations staff present in the area.

15. The planning mission has recommended that, as agreed with ECOMOG, daily coordination between UNOMIL and ECOMOG, as well as decision-making, should be at the field level and only passed up to the next level in each party's chain of command if necessary. However, major decision- and policy-making would be initiated at the appropriate level. The points of consultation between UNOMIL and ECOMOG respectively (which are illustrated in the chart attached as annex II to the present report), would be between UNOMIL site teams and ECOMOG peace-keeping troops; UNOMIL regional headquarters and ECOMOG sector headquarters; the Field Commander of ECOMOG and the Chief Military Observer of UNOMIL; the Field Commander of ECOMOG and my Special Representative, and, finally, between the United Nations and ECOWAS. I shall also maintain regular contacts with the Chairman of ECOWAS in regard to developments in the Liberian peace process. Furthermore, it would be my intention, following the establishment of UNOMIL, to conclude with ECOWAS an agreement defining the relationship between UNOMIL and ECOMOG.

16. In accordance with established practice, UNOMIL would need to have freedom of movement, communications and inspection, and to enjoy the other rights that would be necessary for the performance of its tasks in Liberia. UNOMIL and its personnel would also have to be granted all relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations. Should the Security Council decide to establish UNOMIL, it would therefore be my intention to initiate consultations with the Liberian National Transitional Government with a view to concluding a status-of-mission agreement along the usual lines.

17. In the fielding of UNOMIL military observers and civilian staff, the issue of personnel security must be addressed. Security threats include armed banditry, easy availability of weapons, mines and the inability of local authorities to respond adequately to security problems. I welcome ECOMOG's stated commitment to ensuring the safety of UNOMIL observers and civilian staff. I shall also appoint a Security Officer to coordinate security requirements of the entire United Nations presence in the country.

18. It is estimated that 303 military observers will be required for the UNOMIL operation. This number includes 41 teams composed of six observers per team (investigation teams, airport teams, seaport teams, border crossing teams and cantonment site teams), 25 military observers stationed at UNOMIL headquarters in Monrovia and eight observers stationed at each of the four regional headquarters, reporting to the Chief Military Observer. The military observers will be supported by necessary administrative staff.

19. Since UNOMIL observers will be widely dispersed throughout the entire Liberian territory, they will need to be supported by a communications unit of about 25 people to establish a communications network and to staff radios at UNOMIL's headquarters in Monrovia and at regional headquarters on a 24-hour, 7-days-a-week basis. This unit would be composed of civilian personnel under civilian contract, with equipment provided by the United Nations. UNOMIL would also require a military medical unit of at least some 20 staff.

20. The planning mission assessed the infrastructure of the country and drew up two options under which the infrastructure required to support the deployment of observers could be provided. One option would be to import entire housing and office units and set them up at team sites. The second option would be to deploy engineering units to conduct reconnaissance of the locations of regional headquarters and team sites and initiate required infrastructure repairs based on local procurement of materials to the extent possible and using local manpower. Under the second option, which the planning mission recommended, it is estimated that the physical

infrastructure required for the mission could be more quickly constructed and, in the long term, would benefit the Liberian people. The engineering units would also work with ECOMOG engineers in the rehabilitation and reconstruction of cantonment sites and in the repair of bridges necessary for peace-keeping and humanitarian assistance activities. The units could, at a later stage, also assist with the repair of roads, airports and public works as a confidence-building measure and to normalize the situation in the country. It is estimated that 45 experts would be required to make up five engineering units, each composed of one civil engineer, three supervisors and five specialists such as electricians and mechanics. Given the very tight timetable of the operation, it is crucial that the engineering units be fielded expeditiously. It is therefore recommended that these units be made up of military personnel.

21. In view of the wide dispersal of the military observers and of the extremely difficult terrain in which they will have to operate, it is recommended that a minimum of six utility helicopters be provided to the Mission. It is considered, given medical evacuation requirements and the poor conditions of available airfields, that the Mission will also require a short take-off/landing, bush type aircraft.

22. In view of the importance of providing UNOMIL with the resources necessary to start up the operation quickly, it is deemed essential that equipment, particularly vehicles, office furnishings and supplies, be transferred to the mission area from the United Nations Transitional Authority in Cambodia as soon as possible. This may require airlifting resources to Liberia, at least in the initial stages.

23. As mentioned above, in order to fulfil the requirements of the peace agreement, ECOMOG is planning to expand its forces in Liberia by another 4,000 troops. While some of the new ECOMOG troop-contributing countries may not be members of ECOWAS, they would be members of the Organization of African Unity and their troops would be under the command and control of the ECOMOG Field Commander. At the time of the present report, it is not clear which African countries would contribute the additional troops for ECOMOG. An important aspect is the question of logistic support for ECOMOG, especially for the additional troops. It is understood that assistance in this domain would have to come from outside Africa. Then there is the question of finances for ECOMOG's operations. While clearly this is not the responsibility of the United Nations, we cannot afford to ignore the realities of the situation. One of the proposals is to establish a voluntary fund under the auspices of the United Nations, as referred to in paragraph 24 below.

24. ECOWAS has informed me that ECOMOG troop-contributing countries would require financial support for the present and expanded forces of ECOMOG. In my previous report, I informed the Security Council of the request from ECOWAS to the United Nations to establish a trust fund which could be utilized, *inter alia*, to enable African countries to send reinforcements to ECOMOG and to provide necessary assistance to countries already participating in ECOMOG. On 27 August, I received a letter from the President of the Security Council [*S/26376*] strongly endorsing the establishment of such a voluntary trust fund. Accordingly, I have initiated the necessary administrative steps to set up the fund.

V. HUMANITARIAN AND DEVELOPMENT ASSISTANCE

25. The United Nations system initiated emergency relief activities in Liberia in December 1990 when the United Nations Special Coordinator's Office in Liberia was established, focusing initially on the desperate situation in the Monrovia area. Later, in 1991, the operation was expanded to address the needs of Liberians throughout the country. Regional arrangements were also made to respond to the problems of the estimated 750,000 Liberians who had fled to neighbouring countries, primarily Guinea, Côte d'Ivoire and Sierra Leone.

26. The emergency assistance programme, supported by voluntary contributions of donor countries in response to appeals launched by the United Nations, covers food and nutrition; health and medical care; water, power and sanitation; education; children in difficult circumstances; and agriculture. In spite of continuing difficulties in access and security, the programme has been relatively successful. However, as a result of events in October 1992, there has been a major increase in the number of internally displaced persons requiring assistance, and access to some areas has been severely constrained.

27. The Cotonou agreement provides that convoys of humanitarian assistance should travel to all areas of Liberia through the most direct routes. Since the signing of the agreement, cross-line routes have been opened from Monrovia and Buchanan into NPFL areas to bring needed food and medical supplies to the people there. Cross-border shipments have also been initiated through Côte d'Ivoire. Some logistic difficulties have been faced, particularly due to heavy rainfall and deteriorated road conditions. In order to ensure the unimpeded delivery of humanitarian assistance, cross-border operations, in accordance with the peace agreement, may be required for some time, at least until the country is unified.

28. While the problem of land mines has emerged as a significant factor, it is not as great a problem in Liberia as it is in other war-torn countries. However, the presence of mines and unexploded bombs poses a threat to the cease-fire agreement and to the population at large. They can also impede the freedom of movement of peace-keeping troops, military observers and relief workers. The mine problem in Liberia seems to be of recent origin and to be confined to anti-vehicle mines to deny road movement. No incidence has been reported, to date, of the use of anti-personnel mines. The presence of unexploded bombs has been reported and represents a hazard to the population. At present the capacity for mine clearance and bomb disposal in Liberia is limited. The planning mission reviewed various options for mine clearance. One option would be to involve civilian contractors. A less expensive and preferable option would be for at least two international mine clearance instructors to train ECOMOG engineers in mine clearance. UNOMIL and ECOMOG would coordinate the identification of mines and would assist in mine clearance. UNOMIL would ensure coordination with humanitarian agencies, ECOMOG and United Nations military observers in order to prioritize mine-clearance activities. The Liberian parties and ECOMOG agreed in principle with the planning mission to participate in this mine-clearance plan. The mine-clearance instructors would be attached to the military component of UNOMIL. ECOMOG would provide security to mine clearance activities.

29. The signing of the Cotonou agreement offers the promise of a permanent solution to the political and military crisis in Liberia and thus of the resumption of normal economic and social life. Under the agreement, the parties agree that every effort should be made to deliver humanitarian assistance to all Liberians and to create conditions that will allow refugees and displaced persons to return to their places of origin.

30. It will take some time before the agreement is translated into real improvements in the welfare of the Liberian people, and thus it will be necessary to maintain the current range of humanitarian assistance activities for the immediate future. In addition, the programme must expand to respond to certain requirements arising from the agreement, in particular the return of refugees, the resettlement of displaced persons and the demobilization and reintegration of ex-combatants. A particular concern in this regard is establishing incentives and conditions needed to support the disarmament and demobilization process. Finally, the programme should reflect a shift in emphasis from relief activities towards reconstruction and rehabilitation. I intend to issue an appeal encompassing the above in the near future.

31. As there is an established United Nations humanitarian assistance operation in Liberia, the planning mission recommended that this operation be supplemented by two additional Professionals and six United Nations Volunteers to be stationed in Monrovia and in the field to assist in the coordination of humanitarian assistance activities. Once the plans for demobilization are more fully developed, additional personnel may be required to provide assistance to cantonment sites.

VI. ELECTIONS

32. In accordance with the peace agreement, general and presidential elections are to take place approximately seven months after the signing of the agreement. The Liberian National Transitional Government, through the Liberian Elections Commission, which consists of representatives of the three parties, will be responsible for organizing and holding elections.

33. Several problems present potential bottlenecks to the holding of elections in accordance with the schedule set down in the agreement. To date, not all representatives of the Elections Commission have been nominated, the Executive Director of the Commission has not yet been chosen and the Elections Commission is not operational. A functioning Elections Commission is, of course, a prerequisite for any preparatory work in the electoral process to begin. As there are no electoral rolls, a registration process will have to take place before elections can be held. The electoral population is estimated to be between 1 million and 1.2 million voters. Even considering that this is a relatively small number, the normal difficulties of a registration process will be compounded in Liberia by the fact that there are refugees living outside the country who should have the opportunity to return before elections to exercise their right to vote. There are also thousands of internally displaced persons who are likely to be on the move. The movement of refugees and internally displaced persons will affect the definition of constituencies. Furthermore, the process of demobilization would have to be completed. In addition, freedom of movement would have to be guaranteed, implying that the present checkpoints between areas held by the parties would have to be eliminated, the country would have to be unified and roads would have to be opened. Even considering the small size of the country and the relatively small population of voters, with internal movement of persons and little preparation so far begun, a timetable of elections in February/March 1994 will be very tight, although not impossible.

34. As I informed the Council in my previous report, in February 1992, the Liberian parties had requested the United Nations to observe and verify the elections process. The ECOWAS summit, held in July 1992, also invited the Secretary-General to facilitate the verification and monitoring of the electoral process by the United Nations. With this in mind, the planning mission included an electoral advisor to assess the situation on the ground. Subject to Security Council approval, it is estimated that UNOMIL would require an electoral component composed of 13 Professionals, 40 United Nations Volunteers and necessary support staff to observe and verify the elections process. The electoral component would be headed by a Chief Electoral Officer supported by a deputy and three other Professionals based at UNOMIL headquarters. The component would also consist of electoral units located at the four regional headquarters. Each unit would comprise a Regional Electoral Coordinator, supported by an assistant and electoral teams each consisting of two United Nations Volunteers. In total, there would be 20 such teams operating out of the regional headquarters. During the voting period, electoral observers numbering around 200 would be required for a two-week period in order to monitor and verify the elections.

35. Several non-governmental organizations (NGOs) have expressed interest in providing technical electoral assistance to the Liberian National Transitional Government in such areas as civic education, computerized procedures and poll officers training. The United Nations Development Programme has also expressed interest in providing technical electoral assistance. I consider it essential that technical assistance in this area be coordinated with United Nations observation and verification activities. A joint mission composed of specialists from interested NGOs and a United Nations electoral specialist will, therefore, visit Liberia around mid-September to work with the Elections Commission in assessing the needs for assistance in this area and in ensuring that proposed activities are coordinated.

VII. OBSERVATIONS AND RECOMMENDATIONS

36. The peace process in Liberia poses a special opportunity to the United Nations in that UNOMIL would be the first peace-keeping operation undertaken by the United Nations in cooperation with a peace-keeping mission already set up by another organization, in this case a subregional organization. As stated above, each mission would have its own command structure. In order for this cooperation to be successful, good communications and a clear understanding of the respective roles and the demarcation of responsibilities, as well as frequent consultation between UNOMIL and ECOMOG, will be crucial. The terms of the peace agreement are such that in effect UNOMIL will be expected to monitor all aspects of their implementation. This relationship could potentially present some challenges, but I am confident that with the good will of all concerned, especially the Liberian parties, this relationship will be successful and may even set a precedent for future peace-keeping missions.

37. The peace process in Liberia will face the usual problems of reintegrating demobilized soldiers into a society with little economic activity. It will also face the special problems of demobilization and reintegration into society of "child soldiers", ranging in age from 7 to 15. I consider it essential that efforts of the Liberian National Transitional Government, ECOMOG, UNOMIL, the United Nations agencies and non-governmental organizations be well coordinated in order to facilitate the demobilization process and to assist the reintegration of former soldiers into civilian life through programmes in community development, especially agriculture, vocational training and public works programmes. In this regard, incentives for disarmament and other measures may need to be considered. Child soldiers should receive special attention. In this connection, a senior adviser will join my Special Representative in mid-September to work with the Liberian National Transitional Government, UNOMIL, ECOMOG, the United Nations agencies and interested non-governmental organizations to develop a comprehensive cantonment, disarmament and demobilization programme. While great attention has to be paid to ex-combatants, the problems of refugees, displaced persons and other war-affected Liberians will equally need to be addressed. It is my expectation that once the existing checkpoints are eliminated and the country is unified, humanitarian assistance will be delivered to those in need in the most direct and cost-effective manner.

38. As noted in paragraph 24 above, the Security Council endorsed the proposal that the United Nations set up a trust fund which would assist in supporting the troops of participating ECOMOG countries and in the deployment of necessary additional troops. The trust fund would also, *inter alia*, cover demobilization and elections. Activities such as the rehabilitation of cantonment sites, food and medical care for soldiers while at the cantonment sites, as well as support for their return to civilian life would also be assisted by the fund. In addition, the fund would provide assistance to the Liberian National Transitional Government in meeting the costs of actually holding the

elections. As it is crucial for the successful implementation of the Cotonou peace agreement that sufficient resources be made available to the trust fund, I urge Member States to support the peace process in Liberia by contributing to this fund.

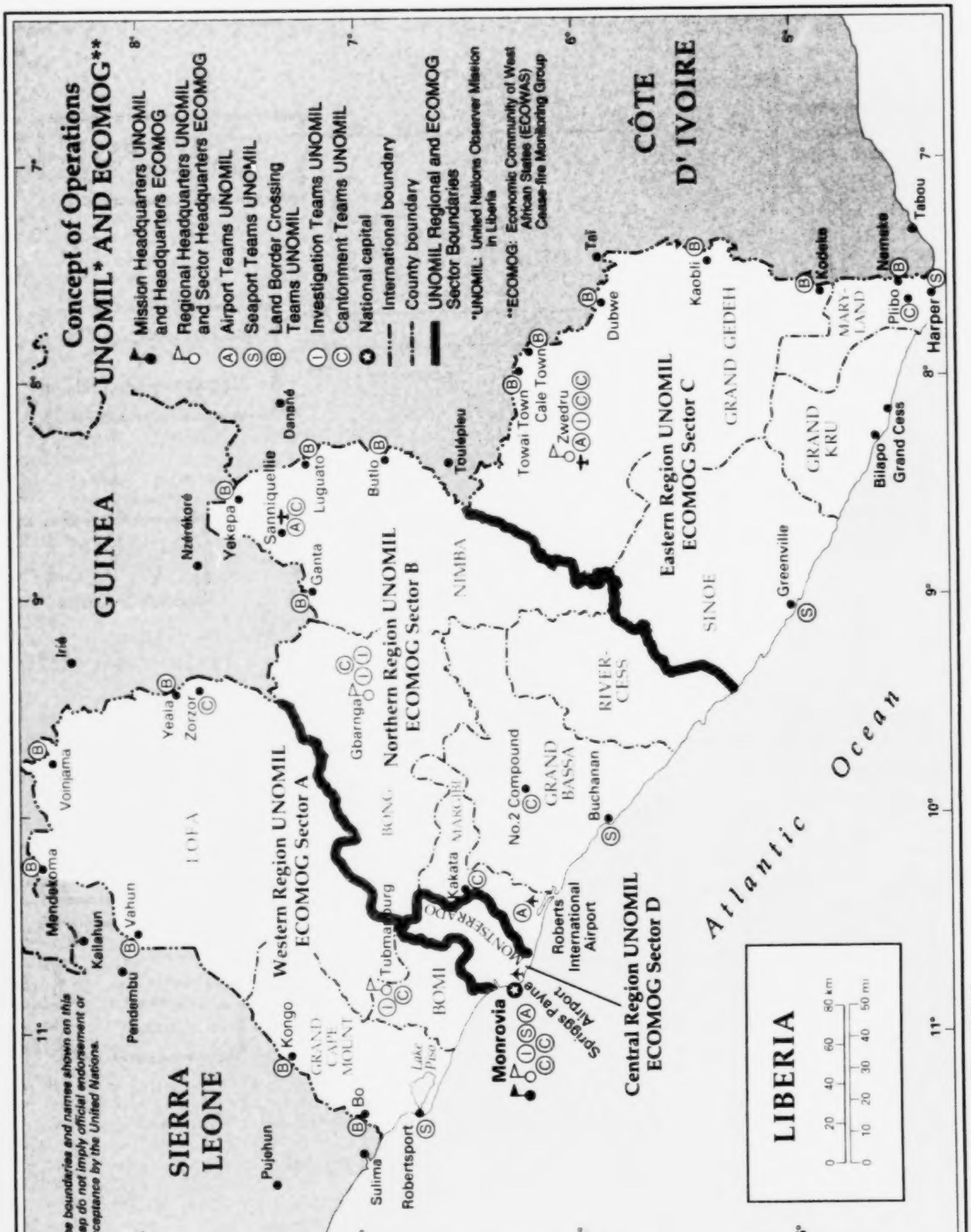
39. The role foreseen for the United Nations in the implementation of the Cotonou peace agreement is predicated on the assumption that the ECOMOG force will be in a position to perform the wide-ranging tasks entrusted to it by the Liberian parties. The United Nations has received the necessary assurances in this regard from ECOMOG. None the less, I must stress that should the additional troops not be deployed or should some of ECOMOG's troops be withdrawn prematurely, the successful implementation of the peace agreement would be in jeopardy. Obviously, without the necessary support and cooperation of ECOMOG, UNOMIL will not be able to successfully carry out its responsibilities in the peace process. In such an event, I shall immediately bring the situation to the attention of the Security Council; depending on the prevalent circumstances, I might be obliged to recommend the withdrawal of UNOMIL.

40. The successful holding of elections, which in accordance with the peace agreement are to take place seven months from the signing of the agreement and are scheduled for February/March 1994, would signal the end of the proposed UNOMIL operation. The Cotonou agreement provides a very tight timetable for the peace process leading up to elections. The agreement forecasts that the transitional government would be established approximately one month after the signing of the agreement, concomitant with the commencement of the disarmament process. While this process is already somewhat behind schedule, the establishment of the transitional government is crucial to reinforcing national reconciliation. I therefore urge ECOMOG to move quickly in commencing the disarmament process, with monitoring provided by the advance team of UNOMIL, even before full deployment of the expanded ECOMOG and UNOMIL. In this regard, it is encouraging to note that NPFL expressed to the planning mission its readiness to accept troops from among the present ECOMOG contingent to be deployed in NPFL areas. With the expected full deployment of the advance team of United Nations military observers in the coming days, the disarmament process could possibly begin immediately thereafter.

41. While all efforts are being made by the United Nations, ECOMOG and the Liberian parties to push the peace process ahead, the planning mission reported its concern over whether the process could be completed in time to permit the holding of elections in February/March 1994. This timetable, which the Liberian parties themselves agreed to in Cotonou, must be seen as a signal of their strong commitment to see the peace process through without impediment. I will therefore expect the Liberian parties to cooperate fully with ECOMOG and UNOMIL and to work together in a spirit of national reconciliation. Only under these conditions will it be possible to hold the elections on schedule in February/March 1994 and to enable the people of Liberia to begin the arduous task of rebuilding their ravaged country and to look forward to a future of peace, stability and well-being.

42. The most fundamental prerequisite for the establishment and maintenance of lasting peace and stability in Liberia is that the leaders and people of Liberia should adhere to and implement faithfully the Cotonou peace agreement. As I have mentioned in the present report, certain difficulties and uncertainties are likely to arise as the process unfolds in the weeks and months ahead. The United Nations would be treading on fresh ground. None the less, I am satisfied that the United Nations must supplement the efforts of the people of Liberia to establish peace in their country. I therefore recommend to the Security Council that it approve the establishment and deployment of UNOMIL as set out in the present report. My recommendations for the deployment of UNOMIL have been developed with a view to ensuring that the operation is cost-effective. Preliminary cost estimates for the Mission are contained in an addendum to the present report which is being circulated separately.

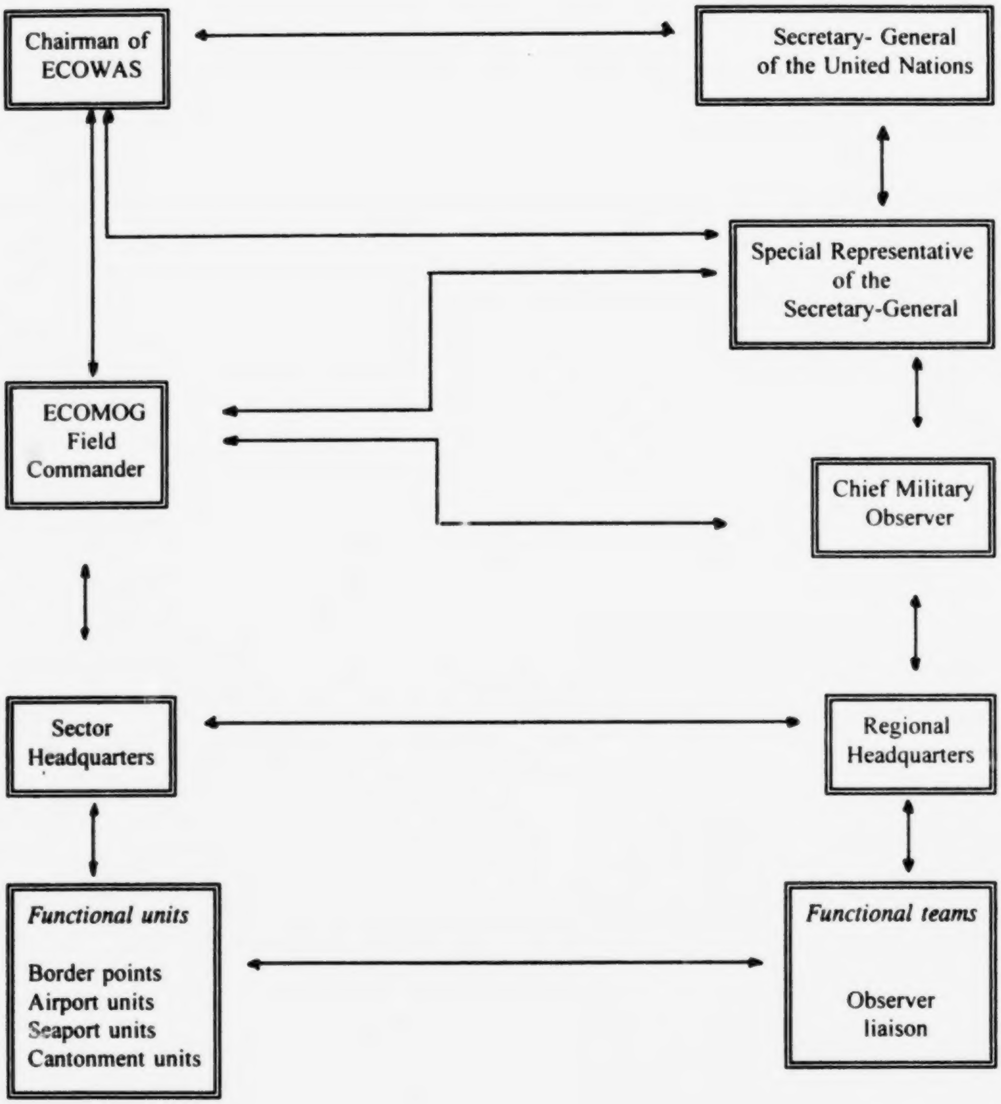
ANNEX I


Concept of Operations
UNOMIL* AND ECOMOG**
Mission Headquarters UNOMIL and Headquarters ECOMOG
Regional Headquarters UNOMIL and Sector Headquarters ECOMOG
Ⓐ Airport Teams UNOMIL
Ⓢ Seaport Teams UNOMIL
Ⓑ Land Border Crossing Teams UNOMIL
Ⓘ Investigation Teams UNOMIL
Ⓒ Cantonment Teams UNOMIL
National capital
International boundary
County boundary
UNOMIL Regional and ECOMOG Sector Boundaries
*UNOMIL: United Nations Observer Mission in Liberia
**ECOMOG: Economic Community of West African States (ECOWAS) Cease-fire Monitoring Group
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
GUINEA
SIERRA LEONE
CÔTE D' IVOIRE
LIBERIA
Atlantic Ocean
Western Region UNOMIL ECOMOG Sector A
Northern Region UNOMIL ECOMOG Sector B
Eastern Region UNOMIL ECOMOG Sector C
Central Region UNOMIL ECOMOG Sector D
LOFA
BONG
NIMBA
MARGIBI
GRAND BASSA
RIVER-CESS
SINOE
GRAND GEDEH
GRAND KRU
MARY-LAND
GRAND CAPE MOUNT
BOMI
MONTSERRADO
Monrovia
Spriggs Payne Airport
Roberts International Airport
Kakata
Tubmanburg
Robertsport
Lake Piso
Sulima
Bo
Kongo
Pujehun
Pendembu
Kailahun
Vahun
Mendekoma
Voinjama
Yeala
Zorzor
Irié
Gbarnga
Ganta
Yekepa
Nzérékoré
Sanniquellie
Luguato
Butlo
Danané
Touléplou
Towai Town
Cale Town
Zwedru
Dubwe
Taï
Kaobli
Kodeta
Nemeke
Tabou
Plibo
Harper
Grand Cess
Bilapo
Greenville
Buchanan
No.2 Compound
8°
7°
6°
5°
11°
10°
9°
0 20 40 60 80 km
0 10 20 30 40 50 mi

MAP NO. 3802 Rev. 2 UNITED NATIONS
AUGUST 1993

ANNEX II

Reporting relationship of UNOMIL and ECOMOG


Chairman of ECOWAS
Secretary- General of the United Nations
Special Representative of the Secretary-General
ECOMOG Field Commander
Chief Military Observer
Sector Headquarters
Regional Headquarters
Functional units
Border points
Airport units
Seaport units
Cantonment units
Functional teams
Observer liaison

DOCUMENT S/26422/ADD.1[*]

[*Original: English*]
[*17 September 1993*]

1. As indicated in paragraph 42 of my main report of 9 September 1993 [*S/26422*], the preliminary cost estimates for the United Nations Observer Mission in Liberia are contained in the present addendum.

2. Should the Security Council decide to authorize the establishment of a United Nations observer mission in Liberia, it is estimated that the total cost would amount to some $42.6 million gross for a seven-month period and would consist of 303 military observers, 20 military medical personnel, 45 military engineers, 129 international and 123 local staff. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum. A portion of these costs may be absorbed through the availability of certain surplus equipment and supplies remaining from the United Nations Transitional Authority in Cambodia.

3. It would be my recommendation to the General Assembly, should the Security Council decide to establish a United Nations observer mission in Liberia, that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to a special account to be established for this purpose.

ANNEX

Cost estimates for the seven-month period of a United Nations observer mission in Liberia

(*Thousands of United States dollars*)

Serial		*Amount*
1	Military observers	6 260
2	Civilian personnel a	11 250
3	Premises, rental and maintenance	2 980
4	Transport operations	2 110
5	Air operations	8 010
6	Communications	3 360
7	Miscellaneous equipment	2 410
8	Mine-clearing programme	100
9	Cantonment and demobilization programme	4 000
10	Miscellaneous supplies, services, freight, death and disability awards and support costs	2 090
	Total	42 570

a Consisting of 129 international and 123 locally recruited staff.

DOCUMENT S/26423

Letter dated 9 September 1993 from the representative of Croatia to the Secretary-General

[*Original: English*]
[*10 September 1993*]

I have the honour to submit, enclosed herewith, a letter dated 8 September 1993 from the Prime Minister of the Republic of Croatia, Mr. Nikica Valentic, addressed to you.

I would be grateful if you would provide for the distribution of this letter as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

LETTER DATED 8 SEPTEMBER 1993 FROM THE PRIME MINISTER OF CROATIA TO THE SECRETARY-GENERAL

My Government and I personally hereby draw your attention to the crime which occurred today in the village of Kusonje near Pakrac - Sector West.

During the ceremony in commemoration of 18 Croatian police officers who perished on that spot two years ago, three persons were killed and eight wounded by an enemy mine. The casualties include members of the Croatian Armed Forces, newsmen and the mother of one of the commemorated policemen, as well as a member of the Argentine battalion of the United Nations Protection Force (UNPROFOR).

In terms of its tragic consequences and morbid motives this terrorist act - the attack on people in a moment when they were paying homage to the dead - clearly bears witness to the criminal behaviour and intentions of our enemy.

United Nations forces share responsibility for such terrorist activity because they have not prevented attacks against areas under their protection. Therefore, the Croatian Government again cautions that it will, should the conduct of UNPROFOR continue to be inefficient, find ways to prevent terrorism on its own with legitimate means at its disposal. This tragic event is indeed the last straw which may overtax our patience. This should be borne in mind by the Serbian paramilitary forces in the United Nations protected areas and United Nations units, but also by the entire international community. The Republic of Croatia has really been taxed to the limits of its tolerance and dignity.

In addressing this protest to you, we concurrently urge you to do everything in order to put a stop to acts of criminal terrorism.

Nikica Valentic
Prime Minister

DOCUMENT S/26427

Letter dated 9 September 1993 from the representative of Iraq to the President of the Security Council

[*Original: Arabic*]
[*11 September 1993*]

On instructions from my Government, I have the honour to transmit to you herewith an information bulletin on the measures taken by Iraq in fulfilment of the requirements of Security Council resolution 687 (1991) during the month of August 1993.

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[*] Incorporating document S/26422/Add.1/Corr.1 of 19 October 1993.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Nizar HAMDOON
Permanent Representative of Iraq
to the United Nations

ANNEX

Measures taken by Iraq in fulfilment of the requirements of Security Council resolution 687 (1991) during the month of August 1993

I. SECTION C OF RESOLUTION 687 (1991)

1. *Chemical Destruction Group (UNSCOM 38)*

The Chemical Destruction Group continued work at the Muthanna site as usual. Since 18 June 1992, the Group has been supervising the destruction of chemical ordnance by the Iraqi side.

2. *Camera installation team*

Under the leadership of Mr. Eckert, the Group continued its work at the Rafah and Al-Yawm al-Azim sites, having started on 25 July 1993. After completing its work, the group left Iraq on 5 August 1993.

3. *UNSCOM technical team*

The UNSCOM technical team, comprising 13 members and led by the Russian national Nikita Smidovich, arrived in Iraq on 9 August 1993. The team held a number of meetings with the Iraqi side concerning the use of the Russian AN-30 reconnaissance aircraft. The team also visited the Rashid airbase. A meeting was held between the team leader and the Director of the Military Industrialization Corporation. The team left Iraq on 12 August 1993 for Bahrain.

4. *UNSCOM 62/ballistic missile team*

The UNSCOM 62/ballistic missile team, comprising two inspectors and led by the United States national Kay, arrived in Iraq on 25 August 1993. The team visited the Al-Yawm al-Azim site, the Ibn al-Haitham centre and the Rafah site. On 30 August, the team attended a test which was carried out at the Al-Yawm al-Azim site. During the test, an explosion occurred which caused a fire and destroyed apparatus and equipment located at the facility, including one of the surveillance cameras installed at the site.

5. *Aerial inspection team*

During the month of August 1993, the UNSCOM helicopter unit carried out the tasks entrusted to it with the cooperation and assistance of the Iraqi side, making 21 flights for the purpose of transporting teams to and from inspection sites. The aerial inspection team also made 12 flights during which it surveyed, photographed and inspected 18 sites.

6. *Nuclear inspection teams*

There was no inspection team during the month of August. The Chief of the Action Team at the International Atomic Energy Agency (IAEA) sent a number of letters, all of which were answered by the Iraqi side.

II. RETURN OF PROPERTY

Further to our letter of 13 August 1993 [*S/26302*]:

1. The fifth and sixth stages of the hand-over of military items and equipment pertaining to the naval forces began on 14 August and continued until 31 August 1993.

2. The nose and stern of the two destroyed A-4 aircraft were handed over to the Kuwaiti side in the Safwan area on 30 August 1993.

DOCUMENT S/26430

Letter dated 7 September 1993 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait to the President of the Security Council

[*Original: English*]
[*12 September 1993*]

I have the honour to transmit herewith, for the attention of the members of the Council, the report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait pursuant to paragraph 6, subparagraph (*f*) of the guidelines [*S/22660, annex*] to facilitate full international implementation of paragraphs 24, 25 and 27 of Council resolution 687 (1991).

The report was approved by the Committee on 7 September 1993.

(*Signed*) Colin KEATING
Chairman
Security Council Committee established
by resolution 661 (1990) concerning
the situation between Iraq and Kuwait

ANNEX

Report of the Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait

1. The present report is submitted by the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait, in accordance with paragraph 6, subparagraph (*f*) of the guidelines [*S/22660, annex*], to facilitate full international implementation of paragraphs 24, 25 and 27 of resolution 687 (1991) approved by resolution 700 (1991).

2. Under paragraph 6, subparagraph (*f*) of the guidelines, the Committee is required to report at 90-day intervals to the Security Council on the implementation of the arms and related sanctions against Iraq contained in the relevant resolutions. The present report is the ninth submitted under the above-mentioned guidelines. The preceding reports were submitted on 13 September 1991 [*S/23036*], 10 December 1991 [*S/23279*], 12 March 1992 [*S/23708*], 10 June 1992 [*S/24083*], 8 September 1992 [*S/24545*], 4 December 1992 [*S/24912*], 19 March 1993 [*S/25442*] and 7 June 1993 [*S/25930*].

3. By paragraph 12 of the guidelines, all States are requested to report to the Committee any information that may have come to their attention relating to possible violations of the arms and related sanctions against Iraq committed by other States or foreign nationals. During the period under review, no information as requested by paragraph 12 of the guidelines has been received by the Committee.

4. In accordance with paragraphs 13 and 15 of the guidelines, all States and international organizations should consult the Committee on the question of whether certain items fall within the provisions of paragraph 24 of resolution 687 (1991), as well as in cases relating to dual-use or multiple-use items, i.e., items meant for civilian use but with potential for diversion or conversion to military use. During the period under review, no States or international organizations have consulted the Committee on these questions.

5. By paragraph 14 of the guidelines, international organizations are requested to provide the Committee with any relevant information that may have come to their attention. During the period under review, no information as requested by paragraph 14 of the guidelines has been received by the Committee.

6. In a note dated 21 July 1993 [*S/26126*], the President of the Security Council issued a statement on behalf of the members of the Council. He stated that the members of the Council had held informal consultations on 21 July 1993 pursuant to paragraphs 21 and 28 of resolution 687 (1991) and

paragraph 6 of resolution 700 (1991). After hearing all the opinions expressed in the course of the consultations, the President of the Council had concluded that there was no agreement that the necessary conditions existed for a modification of the regime established in paragraph 20 of resolution 687 (1991), as referred to in paragraph 21 of that resolution, in paragraphs 22, 23, 24 and 25 of resolution 687 (1991), as referred to in paragraph 28 of resolution 687 (1991); and in paragraph 6 of resolution 700 (1991).

7. Since the submission of the previous report of the Committee on 7 June 1993, no allegations of violations, particularly in connection with paragraph 24 of resolution 687 (1991), have been reported to the Committee.

8. The Committee will continue its efforts to fulfil the mandate entrusted to it. Since the last report of the Secretary-General, dated 4 December 1991 [*S/22884/Add.2*], no further replies have been received from Member States pursuant to paragraph 4 of resolution 700 (1991).

DOCUMENT S/26431

Letter dated 10 September 1993 from the representative of Yugoslavia to the President of the Security Council

[*Original: English*]
[*13 September 1993*]

I have the honour to transmit, enclosed herewith, the reply of the Government of the Federal Republic of Yugoslavia concerning the allegations contained in the letter of the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations, addressed to the President of the Security Council on 27 August 1993 [*S/26377*].

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission
of Yugoslavia to the United Nations

TEXT OF THE REPLY

In the letter of the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations dated 27 August 1993, Croatia renewed its attempt, by using completely false and fabricated accusations, to deceive the Security Council and the world public about the real causes of the interruption in the implementation of the Vance plan and in seeking a negotiated and peaceful solution of problems that have arisen.

The Federal Republic of Yugoslavia considers the method of false accusations unacceptable and dangerous and, therefore, with reference to the above letter wishes to draw attention to the following:

- Lacking any argument to justify its aggressive behaviour, Croatia attributes, in an arbitrary and apparent manner, aggressive intentions to the Serb people, i.e., to the Federal Republic of Yugoslavia, the Serbian Republic and the Republic of Serbian Krajina. In addition, the Army of the Republic of Serbian Krajina is again referred to as "Serbian insurgent forces", although military and civilian representatives of the Republic of Serbian Krajina have been accepted in negotiations and contacts with the high United Nations officials as legal and equitable participants.

- As far as accusations against Serbia, i.e., the Federal Republic of Yugoslavia, are concerned, it is known that, ever since the withdrawal of the former Yugoslav National Army from United Nations Protected Areas, the Federal Republic of Yugoslavia has had no influence on the situation in these areas nor has it participated in armed conflicts, although it is a signatory to the Vance plan and thus responsible for its implementation. The Federal Republic of Yugoslavia refrained from any interference in the armed conflict, even in the case of open armed aggression of Croatia on sector "South" on 22 January 1993, abiding by its principled position that it should not impair by its behaviour the efforts of the United Nations and the international community to solve the conflicts and problems in the territory of the former Socialist Federal Republic of Yugoslavia through negotiations and peacefully.

- The Croatian representative accuses "the Serbian side" of intensifying military activities and aggressive intentions against the Republic of Croatia, which is both untrue and illogical. First, the Serbian people cannot be an aggressor in its own territories which are now under the protection of the United Nations. Secondly, the Serbian people in United Nations Protected Areas was and is still threatened by the Croatian army because of which the United Nations peace-keeping forces were deployed there, the protection of the Serbian people being their primary task. Thirdly, defence forces of the Republic of Serbian Krajina only responded to Croatia's open aggression on United Nations protected areas and their activity depends on the threat of the Croatian aggression to the Serbian people in United Nations Protected Areas, i.e., the level of protection ensured by the United Nations Protection Force (UNPROFOR).

The Federal Republic of Yugoslavia draws attention to the fact that the United Nations peace-keeping forces are present and active in United Nations protected areas in order to observe, while protecting the Serbian people, the behaviour of the parties of which they have submitted daily reports to the President of the Security Council. The Federal Republic of Yugoslavia is confident that the United Nations peace-keeping forces are in a position to have a real picture of the situation in the field and, therefore, fully trusts these reports. The reports covering the period mentioned in the letter of the Croatian representative clearly lead to the conclusions which completely deny the accusations presented in the letter of 27 August 1993:

- UNPROFOR reports do not make any mention of the possibility of dispatching units of the armed forces of the Federal Republic of Yugoslavia and the Serbian Republic to United Nations protected areas or their attempts to influence the military and political relations and situation in these areas;

- These reports contain no information on the activities of the Army of the Republic of Serbian Krajina which would indicate offensive and aggressive acts. On the contrary, a number of reports point to the movements and concentration of the Croatian army, indicating that Croatia is preparing aggression on United Nations Protected Areas. They also contain serious objections because of its tightened control over UNPROFOR, impeding of columns and humanitarian convoys and the hostile attitude of the Croatian army and authorities towards UNPROFOR as a whole.

- They state unambiguously that Croatia obstructed intentionally and tendentiously the Erdut agreement reached under the auspices and with the participation of the high United Nations representatives and that its further arbitrary behaviour, particularly with respect to the Maslenica bridge, would certainly lead to the escalation of the conflict.

- The reports note that both sides open fire. Here, one should have in mind that the Army of the Republic of Serbian Krajina, in most cases, only responded to the attacks of the Croatian army, which is contrary to the allegations that it shelled Croatian towns.

The Federal Republic of Yugoslavia draws attention particularly to the unacceptable allegations in the letter of the Croatian representative on violations of the relevant Security Council resolutions by "the Serbian insurgents", Serbia and the Serbian Republic in United Nations Protected Areas. On the contrary, as it is well known, Croatia has persistently refused to fulfil its obligations under resolutions 802 (1993) and 847 (1993), adopted as a result of its open aggression on United Nations Protected Areas and its direct violation of the Vance plan.

DOCUMENT S/26432

Letter dated 8 September 1993 from the representative of Mozambique to the Secretary-General

[*Original: English*]
[*13 September 1993*]

Upon instructions from my Government, I have the honour to request that the attached document be circulated as a document of the Security Council.

(*Signed*) Pedro Comissario AFONSO
Permanent Representative
of Mozambique to the United Nations

ANNEX

Final document from the meeting between the President of the Republic of Mozambique and the President of the Resistência Nacional Moçambicana

The President of the Republic, Joaquim Alberto Chissano, and the President of the Resistência Nacional Moçambicana (RENAMO), Afonso Macacho Marceta Dhlakama, meeting at Maputo from 23 August to 3 September 1993, analysed the difficulties related to the questions of territorial administration, the police and the media that have been faced during the process of implementing the General Peace Agreement,

Considering the desire of the parties to respect in full the General Peace Agreement signed at Rome on 4 October 1992 and to achieve a genuine peace in the country based on democracy and national reconciliation,

Considering the need to guarantee a single administration for the country,

Recognizing that the zones under RENAMO administration have specific features,

Recognizing the need to create temporary mechanisms that guarantee the reintegration of the zones under RENAMO administration into the state administration,

Following a lengthy exchange of views on the above-mentioned questions, it was possible to reach the following consensus:

I. TERRITORIAL ADMINISTRATION

With the aim of guaranteeing that the process of reintegrating the zones under RENAMO control into the state administration takes place in a smooth and efficient way and in accordance with the provisions of the General Peace Agreement on the issue,

Considering the need to guarantee observance of the principle of non-discrimination and impartiality in the treatment of all questions to do with the reintegration of these zones,

They decided:

1. The Government shall create the post of adviser to the Governor in the staffing structure of the provincial state apparatus, with the function of advising the Governor on all the questions directly or indirectly to do with the reintegration of the zones under RENAMO control, including socio-economic questions.

2. The Government shall appoint three people in each province, to be nominated by RENAMO, to the advisers' posts.

3. Whenever there is a legal basis the advisers may be dismissed by the Government, in agreement with RENAMO.

The Government will grant dismissal whenever this is requested by RENAMO. In either case RENAMO may nominate other people to replace the dismissed advisers in the terms of No. 2 of this document.

4. The Government will indicate the director or directors with whom the advisers should work on a case-by-case basis, in the light of the needs or tasks.

5. The provincial directors must give the advisers all the collaboration required for the correct discharge of their duties.

6. Whenever they consider it appropriate, the advisers may propose initiatives and measures or submit opinions to the consideration of the provincial governor.

7. All decisions related to the zones under RENAMO control shall be taken with the prior opinion of the adviser, which must be given within the time-limit indicated by the governor or within a reasonable period of time depending on the circumstances.

8. Decisions on matters related to the zones under RENAMO control that fall within the sphere of authority of the Central Government must be taken with the prior opinion of the governor's adviser.

9. The advisers are not members of the Government. They are civil servants of the state apparatus who have the specific task defined above.

10. Situations arising in the exercise of the advisory function that are not resolved with the provincial governor or with the Central Government will be communicated to the National Administration Commission for consideration and decision.

11. When all the advisers to the Provincial Governors are in place, the Government shall appoint people nominated by RENAMO from among the residents of the zones under its control to fill the state apparatus staff posts in these zones.

Advisers' rights and functioning

12. The advisers shall enjoy the following rights:

- The salary and benefits corresponding to letter E1 of the wage scale in force in the state apparatus;
- Transport during the exercise of their functions;
- Provision of a house to be rented.

13. The Government shall guarantee that the advisers have the necessary working conditions for the satisfactory discharge of their duties.

II. POLICE

1. The parties agreed to request the United Nations to send a police contingent to monitor all police activity in the country, namely the Police of the Republic of Mozambique and others, to monitor respect for citizens' rights and freedoms and to provide technical support to the Police Affairs Commission.

2. This contingent will also have the mission of verifying that the operations of private protection and security companies respect the General Peace Agreement.

3. The Government undertakes to present a list of all war material possessed by the police and its location in the country, specifying all the data required for controlling the force.

4. The Government undertakes to request support from the international community for the following ends:

(*a*) The reorganization, training or retraining of the Rapid Intervention Police;

(*b*) The training and equipping of the Rapid Intervention Police with appropriate weaponry and equipment;

(*c*) Clarification of the vocation and aims of the Rapid Intervention Police.

5. The provisions set out in point 4 (*a*), (*b*) and (*c*) shall obey internationally acceptable standards.

(*Signed*) Joaquim Alberto CHISSANO
President of the Republic
of Mozambique

(*Signed*) Afonso Macacho MARCETA DHLAKAMA
President of RENAMO

Maputo, 3 September 1993
(*Unofficial translation*)

DOCUMENT S/26434 AND ADD.1

Further report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)

DOCUMENT S/26434

[*Original: English*]
[*13 September 1993*]

INTRODUCTION

1. The present report is submitted in response to paragraph 21 of Security Council resolution 851 (1993) of 15 July 1993, by which the Council requested the Secretary-General to submit to it as soon as the situation warranted, and in any case before 15 September 1993, a report on the situation in Angola with his recommendation for the further role of the United Nations in the peace process and, in the meantime, to keep the Council regularly informed of developments. Since the adoption of that resolution, the Council has been kept regularly informed of developments in the Angolan situation. The present report covers the period up to 10 September 1993.

I. POLITICAL AND MILITARY DEVELOPMENTS

2. Since my last report to the Security Council, dated 12 July 1993 [*S/26060*] and despite intensified international efforts to steer the peace process back on track, the grave situation in Angola has worsened further and has become particularly tragic in the humanitarian domain. Despite diplomatic efforts, agreement on the implementation of the Peace Accords and on the long-awaited cease-fire continued to be elusive. Instead, fierce fighting has continued and, in many respects, has intensified throughout the country. The offensive of the preceding months by the National Union for the Total Independence of Angola (UNITA) has continued, resulting in significant advances throughout the month of July.

3. However, since early August, the Government has embarked on a counter-offensive which has resulted in UNITA being removed from several places it had held before. The Government has succeeded in broadening its area of control and perimeter of defence around several besieged cities, with the exception of Cuito/Bié. The Government appears to have acquired additional military equipment and has conscripted additional forces.

4. On 2 August, the Government launched a major offensive against Huambo, Angola's second-largest city, which UNITA had captured in March. The attacks were supported by intensive air bombardments. While these bombardments appeared to subside somewhat towards the latter half of August, Government troops have sustained the main thrust of their offensive.

5. The most ferocious fighting is still concentrated around the provincial capitals of Cuito/Bié and Menongue, respectively, which have been besieged by UNITA for more than eight months. The intensity of the fighting around Cuito/Bié has been particularly heavy, resulting in a great loss of human lives, a very high number of wounded who cannot be treated, a total lack of essential means of survival (food, water, medicines) and massive destruction of basic infrastructure.

6. Despite repeated reaffirmations by both the Government and UNITA of their readiness to resume negotiations, thus far no progress has been made in this regard. The deep mutual mistrust in the face of intensifying fighting has hindered peace efforts, as each side views the other's proposals with scepticism. On 11 August, Mr. Savimbi, in an interview with Agence France Presse, proposed an "immediate cease-fire without preconditions". Subsequently, on 13 August, the UNITA representative in New York wrote to the President of the Security Council, informing her of Mr. Savimbi's position. In his letter, the UNITA representative stated, *inter alia*, that the said initiative, if accepted by the Government of Angola, would facilitate the delivery of humanitarian assistance and put a halt to the bombing of Huambo and other areas. Reiterating its position that it is prepared to resume serious dialogue, the Government asserted that it could not seriously consider UNITA's initiative, especially since the proposal had neither been communicated officially to the Government nor to my Special Representative. This notwithstanding, the Government has continued to reaffirm its willingness to resume negotiations with UNITA if the latter agrees in advance to accept, in writing, the principles contained in the draft Abidjan protocol.

7. On 20 August, my Special Representative, Mr. Alioune Blondin Beye, received an oral message from Mr. Savimbi, delivered through the special envoy of President Mobutu of Zaire, in which Dr. Savimbi reiterated his call for an "immediate cease-fire without preconditions". Mr. Beye, in response, reiterated his wish to meet with Mr. Savimbi in order to obtain additional information concerning UNITA's proposal and drew his attention, in this respect, to the relevant provisions of the Security Council resolutions on

Angola, as well as to the need to respect the Bicesse Accords and to accept the results of the elections. However, my Special Representative has, to date, been unable to meet with Mr. Savimbi personally, as his repeated requests since 2 August to go to Huambo have been declined owing to the continuing hostilities there.

8. Meanwhile, the international community has persevered in its efforts to contribute constructively towards a peaceful resolution of the Angolan crisis. Among the various peace endeavours currently under way, two are particularly noteworthy. One seeks to convene a meeting between President José Eduardo dos Santos of Angola and Mr. Savimbi under the auspices of King Hassan of Morocco, President Houphouët-Boigny of Côte d'Ivoire and Mr. Nelson Mandela, President of the African National Congress of South Africa (ANC); and the other involves efforts of the Organization of African Unity (OAU) Ad Hoc Committee on Southern Africa headed by President Mugabe of Zimbabwe (who is also the Chairman of the Front-line States) to meet with Mr. Savimbi, who had earlier indicated his readiness to receive the members of the OAU Ad Hoc Committee at Huambo, the suggested venue of which was unacceptable to the Committee.

9. For his part, my Special Representative, has, in the past two months, pursued intensive consultations with all interested parties with a view to relaunching the peace process. To this end he has, at the national level, continued to maintain regular contacts with the Government of Angola and, prior to the commencement of the aerial bombardments of Huambo, also directly with the UNITA leadership. My Special Representative has also held regular meetings with representatives of the three observer States (Portugal, the Russian Federation and the United States of America), with the diplomatic community based in Luanda, and has continued his contacts with representatives of all other sectors of Angolan civilian society: political parties, social and religious organizations as well as prominent Angolan personalities, including UNITA officials currently living "under protection" in Luanda.

10. On 19 August, during the most recent meeting with my Special Representative, President dos Santos expressed his support and appreciation of United Nations Angola Verification Mission (UNAVEM)'s humanitarian as well as mediation efforts, particularly as regards my Special Representative's strategy of holding consultations in the subregion with a view to re-initiating the peace process in Angola. The possibility of deploying peace-keeping forces within the context of a local cease-fire in Cuito/Bié, Malange and Menongue, as tentatively foreseen under the proposal for humanitarian assistance operations, was also thoroughly discussed. In this connection, the President confirmed the Government's position that the deployment of United Nations peace-keeping forces in Angola should take place only in the context of a global cease-fire within the framework of the Abidjan protocol.

11. In view of the special role which the heads of State of the neighbouring and other countries on the continent played at various stages in the search for a peaceful solution, my Special Representative has undertaken intensive consultations in Namibia, Zaire, Zimbabwe, Gabon, Sao Tomé and Principe, Congo and Zambia.

12. President Nujoma of Namibia informed my Special Representative during his visit to Namibia that his invitation to Mr. Savimbi to visit Namibia continued to be valid. President Nujoma and Mr. Beye also discussed the strategy aimed at relaunching definitive peace negotiations through preliminary exploratory talks. The question of Angolan refugees in Namibia was also dealt with.

13. President Mobutu, for his part, assured my Special Representative of his willingness to cooperate towards finding a solution to the Angolan crisis. He informed Mr. Beye that, in order to improve bilateral relations between the two countries, he would dispatch a special envoy to President dos Santos and furthermore propose that the joint Angola/Zaire Military and Security Commission be reactivated. Specific ideas in connection with the relaunching of the peace process were also discussed. Later, a special envoy from Zaire met with Mr. Beye at Luanda, and they also met subsequently at Kinshasa on 8 September.

14. My Special Representative's consultations in Harare confirmed that President Mugabe, who is Chairman of the Front-line States and also Chairman of the OAU Ad Hoc Committee on Southern Africa, was keenly interested in the preparation and coordination of efforts aimed at resolving the Angolan crisis. President Mugabe has reaffirmed his interest in convening a joint OAU/United Nations meeting with Mr. Savimbi at Luanda or outside Angola, to persuade the UNITA leader to cease hostilities and resume dialogue. President Mugabe also pointed out that he would be prepared to meet Mr. Savimbi in Libreville, Gabon, and encouraged my Special Representative to pursue efforts to that end.

15. During my Special Representative's discussions in Gabon with that country's President Bongo, the President expressed his strong conviction that the pursuit of a military solution in Angola should be strongly discouraged. He welcomed and fully supported the United Nations efforts and offered Libreville as a venue for a possible meeting with Mr. Savimbi. In subsequent meetings with Gabonese officials, the modalities and practical arrangements for such a meeting were elaborated.

16. In the consultations my Special Representative had with President Trovoada of Sao Tome and Principe, the President confirmed to Mr. Beye his readiness to assist in relaunching the peace process and, to that end, to take appropriate action by offering the use of facilities for the holding of exploratory contacts between the Government of Angola and UNITA.

17. With regard to this initiative, I have maintained regular contact with the Government of Angola and UNITA to impress upon them the need to resume the dialogue, to re-initiate the peace process and to establish an effective cease-fire. In this connection, in several telephone conversations with Mr. Savimbi I strongly urged the UNITA leader to meet with my Special Representative in Sao Tomé and Principe in order to hold exploratory discussions on the resumption of the peace process. The President of Sao Tome and Principe had expressed earlier to me his support for the holding of such a meeting at Sao Tomé.

18. On 3 September, the Permanent Committee of the Political Commission of UNITA issued a communiqué which, in particular, made known its readiness to send its high-ranking delegations to meet with President Trovoada and the President of Portugal, Mr. Mario Soares. In that document, the President of UNITA also reiterated his offer to immediately suspend military hostilities without preconditions.

19. The Government of Angola, in a statement issued on 4 September, supported the initiatives of my Special Representative but stated that a cease-fire should be established in strict accordance with the Bicesse Accords and relevant resolutions of the Security Council, and that it did not believe that the offer in UNITA's communiqué had been made within such a context. Finally, on 9 September, UNITA announced that the security situation in Huambo precluded Mr. Savimbi from travelling out of the country to meet with Mr. Beye. Instead, a high-level UNITA delegation, currently travelling outside the country, was mandated to attend a "summit" in Libreville. With respect to the meeting envisaged between Mr. Savimbi and a number of heads of State of African countries, I contacted concerned African leaders in the first week of September, including the Presidents of Senegal, Côte d'Ivoire and Sao Tomé and

Principe, in order to support the proposal for such a meeting. I also established contact with the Prime Minister of Portugal on this matter.

II. HUMANITARIAN SITUATION

20. With the further intensification of the fighting, the humanitarian situation has worsened dramatically. The humanitarian dimensions of the Angolan tragedy are catastrophic as some 3 million people, particularly the most vulnerable population groups - children, women and the elderly - are suffering from the consequences of the conflict. It is widely estimated that more than 1,000 persons die every day from the direct or indirect effects of the war, the highest fatality rate of any conflict in the world.

21. Since the resumption of the civil conflict in Angola, the United Nations system has made intensive efforts to provide humanitarian assistance to all Angolans in need. In the coastal provinces and other areas considered secure, the relief programme initiated by the United Nations, in cooperation with national and international non-governmental organizations, has brought food aid and other emergency assistance to large numbers of Angolans displaced by the war or affected by the country-wide economic decline. However, the implementation of relief operations in the interior of the country and in zones of active conflict, where the needs are particularly acute, has encountered serious difficulties. Following several rounds of negotiations between the United Nations and the Government of Angola and between the United Nations and UNITA, agreement was reached on 7 July to resume, for an initial period of 10 days, the emergency relief plan which had been suspended on 21 June. Relief flights to agreed locations were accordingly relaunched on 15 July, with the necessary security guarantees having been obtained from the Government and UNITA.

22. On 15 July, the flights scheduled for Luena and Mavinga/Jamba took place first without difficulties. The flight scheduled for the long-besieged city of Cuito/Bié had to be cancelled, upon UNITA's request, during a stopover in Huambo. An incident occurred, however, with respect to the flight to Mbanza Congo, which is currently under UNITA control. As the aircraft prepared to land, it was struck by several bullets. Fortunately, no one was injured and the plane was able to return to its base. My Special Representative vigorously deplored the incident and requested UNITA to submit a report on the circumstances that had led to that incident. United Nations humanitarian flights to areas considered unsafe were suspended until receipt of UNITA's report. UNITA presented its report to my Special Representative on 20 July, acknowledging responsibility for the incident and attributing the causes thereof to a breakdown of its communications system.

23. Since the Mbanza Congo incident, the United Nations has nevertheless continued providing humanitarian assistance to the areas considered to be safe and has elaborated a proposal for a new twofold emergency relief plan. The new plan covers areas where no active conflict was going on but which still were considered unsafe, as well as areas of active conflict. The Government, in its letter of 29 July, informed my Special Representative that it approved the relaunching of humanitarian operations and, regarding Cuito/Bié, Malange and Menongue, proposed the establishment of a local cease-fire of unlimited duration, within a 15-kilometre neutral zone around these cities. It also proposed that such a cease-fire be monitored and verified by the United Nations to ensure the delivery of humanitarian assistance to the areas concerned. My Special Representative's subsequent efforts to discuss this emergency relief plan with UNITA were hampered by the fact that, as a result of aerial bombardments of Huambo, it was not possible for the United Nations team to travel to that city. My Special Representative, therefore, conveyed the United Nations proposal to UNITA through its offices abroad. Also, during my Special Representative's visit to Zaire on 10 August, a copy of this proposal was handed to a UNITA emissary.

24. Meanwhile, in view of the delay in obtaining the required approval of the above-mentioned proposal, an alternative arrangement was being developed in cooperation with non-governmental organizations (NGOs) and religious institutions to ensure that humanitarian assistance would be provided to at least part of the population. Under this arrangement, starting on 17 August, NGOs, using their own logistic facilities but with support from United Nations programmes and agencies (including the provision of supplies), have delivered vital humanitarian assistance to several areas outside active military conflict.

25. While in Zimbabwe, my Special Representative received, on 22 August, a message from General Gato, UNITA's Deputy Secretary for Foreign Affairs, indicating that he would like the United Nations delegation to come to Kinshasa for discussions on humanitarian assistance. The next day, a United Nations team led by the interim director of the Humanitarian Assistance Coordination Unit and including representatives of UNAVEM II, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the World Food Programme met with a UNITA delegation in Zaire. During that meeting, the UNITA representative reaffirmed UNITA's commitment to the emergency relief programme signed with the United Nations on 7 July and promised that a response to the twofold emergency relief plan would be submitted to my Special Representative by 27 August. A positive reply from UNITA was received by my Special Representative only on the evening of Friday, 3 September, in response to which the United Nations is planning to relaunch humanitarian assistance operations to the nine cities located in both Government-controlled and UNITA-controlled areas where no active conflict is under way.

26. On 26 August, another deplorable incident occurred at Catengue, Benguela province, in connection with a WFP convoy of 75 trucks which was transporting relief aid to some 145,000 war-affected people in Caimbambo and Cubal. Three trucks in that convoy were attacked, resulting in the death of four members of the convoy and the injury of another. One vehicle was completely destroyed and two partially damaged. My Special Representative strongly condemned this inhumane and unjustified act and immediately requested a thorough investigation of the circumstances of the attack, which is in violation of the elementary rules of international humanitarian law and poses a serious obstacle to the implementation of United Nations humanitarian assistance operations in Angola.

III. SITUATION OF UNAVEM II

27. As indicated in paragraph 15 of my report of 12 July 1993, I had, in conformity with paragraph 1 of Security Council resolution 834 (1993), reduced the size of UNAVEM II. The total staff of UNAVEM II currently comprises 43 international civilian staff, 50 military observers, 18 police observers, 11 military paramedics, as well as 75 local staff. UNAVEM II military and police staff continue to be deployed at five locations (Luanda, Lubango, Namibe, Benguela and Sumbe), where these observers are engaged in patrolling the areas, maintaining liaison with the respective local authorities, rendering support to humanitarian assistance operations, conducting investigations and other activities. The presence of the United Nations military, police and civilian personnel continues to be an important factor in the efforts aimed at establishing peace in Angola.

28. Experience on the ground, especially with the recent intensification of UNAVEM II's mediation and good offices activities, has shown that the present number of international civil

staff is seriously inadequate to carry out effectively the various tasks required under UNAVEM II's mandate, especially that of mediation and good offices. To adequately meet the requirements of UNAVEM II's mandate, there is an urgent need to restore the level of international civilian staff to at least what it was in April-May 1993, i.e., 59. There is also a need to improve and upgrade UNAVEM II's current voice and fax communications capabilities. The financial implications of these additional requirements will be reflected in a addendum to the present report.

29. Angola still remains at phase III security status. However, due to the relatively calm situation in certain parts of the country, including Luanda, my Special Representative, in consultation with the United Nations agencies operating in Angola, has now recommended that the security phase in Luanda be downgraded to phase II but at the same time that phase III be maintained in other parts of Angola. For UNAVEM II, Angola continues to remain a non-family duty station. With regard to plans for the eventual sea/air evacuation of the staff from Angola, should the need arise, the arrangements indicated in my previous report are still in place. In this connection, on 29 July, my Special Representative, in collaboration with the other United Nations agencies operating in Angola, formulated a plan containing detailed security and evacuation procedures and guidelines.

IV. OBSERVATIONS AND RECOMMENDATIONS

30. I remain deeply distressed over the tragic situation that continues to haunt Angola, and in particular over the extensive suffering that has been inflicted on its people during the recent months of fratricidal war. I am particularly disturbed by the fact that, despite the tragedy the Angolans are currently facing, and despite the constant efforts of the United Nations and the international community, the fighting has not only continued but has intensified, and to date peace negotiations have not been resumed. Moreover, new impediments have been put in the way of the international community's efforts to provide humanitarian assistance to the Angolan population. It has become obvious that additional measures should be taken to ensure that humanitarian assistance will reach the needy population throughout the country.

31. It is evident that an effective and lasting peace cannot be achieved through military force, and that this war only prolongs the suffering of the Angolan people and exacerbates the destruction of the country. I therefore strongly urge that the Government and UNITA return to the negotiating table without delay, in order to agree on an immediate cease-fire, in accordance with the provisions of the Bicesse Accords and the understandings reached at Abidjan, which will also allow for the distribution of desperately needed humanitarian assistance.

32. I welcome the international community's growing efforts, especially those made by the OAU Ad Hoc Committee on Southern Africa, the heads of State of neighbouring countries and the three observer States, in support of the search for a peaceful resolution to the Angolan conflict, and urge them to continue in these efforts.

33. The concrete initiatives already undertaken by my Special Representative and his staff in carrying out UNAVEM's mandate of mediation and good offices aimed at restoring peace in Angola have been encouraging. UNAVEM II has proven to be a useful channel for communication between the Government and UNITA and thus an essential factor in the United Nations efforts to facilitate the resumption of negotiations to advance the peace process, as well as to support vital humanitarian assistance activities in the country. In the present circumstances, I see no alternative but to recommend to the Security Council that the mandate of UNAVEM II be extended for a period of three months. Such an extension would allow the United Nations to continue its mediation efforts and good offices activities and to build upon the achievements of initiatives already undertaken, especially at a time when the peace process appears to have gained some momentum. The cost estimates for the extension of the mandate of UNAVEM II will be presented in an addendum to the present report.

34. I would also recommend to the Security Council to confirm its readiness to take prompt action to expand substantially the United Nations presence in Angola, in the event that significant progress is made in the peace process.

35. UNAVEM II personnel have continued to serve with exemplary dedication. I would like to pay tribute to them, and in particular, to my Special Representative, Mr. Alioune Blondin Beye, and to Major-General Chris Abutu Garuba (Nigeria), for carrying out their very difficult assignment with determination.

DOCUMENT S/26434/ADD.1

[*Original: English*]
[*14 September 1993*]

1. As indicated in paragraph 33 of my main report [*S/26434*], I recommended that the mandate of UNAVEM II be extended for a period of three months to allow the United Nations to continue its mediation efforts and good offices activities and to build upon the achievements of initiatives already undertaken, especially at a time when the peace process has gained some momentum.

2. Should the Security Council approve my recommendation to extend the existing mandate of UNAVEM II for a further period of three months until 15 December 1993, it is estimated that the cost associated with this extension would amount to some $7.2 million. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

3. It would be my recommendation to the General Assembly, should the Security Council decide to approve the extension of UNAVEM II, that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to the UNAVEM special account.

ANNEX

Cost estimates for the extension
of the United Nations Angola Verification Mission (UNAVEM II)
for the period from 16 September to 15 December 1993

(*Thousands of United States dollars*)

Serial		*Amount*
1.	Military observers	501.7
2.	Civilian police	170.9
3.	Civilian personnel [a]	2 508.9
4.	Premises, rental and maintenance	606.3
5.	Vehicle operations	156.0
6.	Aircraft operations	2 485.2
7.	Communications	190.0

8	Miscellaneous equipment	30.0
9	Miscellaneous supplies, services, freight, death and disability allowance and support costs	527.2
	Total	7 176.2

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[*] Consist of 59 international and 75 locally recruited staff

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DOCUMENT S/26435[*]

Letter dated 10 September 1993 from the representative of Mexico to the Secretary-General

[*Original: Spanish*]
[*14 September 1993*]

I have the honour to inform you that, in the light of the adoption by the Security Council of resolution 861 (1993), the Government of Mexico has suspended sanctions against Haiti and decided to restore its diplomatic representation in that country to the highest level. The Government of Mexico will resume cooperation programmes and explore measures with the Haitian authorities for the purpose of promoting collaboration in accordance with the priorities established by Haiti's constitutional Government.

I should be grateful if you would have this letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Manuel TELLO
Permanent Representative of Mexico
to the United Nations

DOCUMENT S/26438

Report of the Secretary-General on his mission of good offices in Cyprus

[*Original: English*]
[*14 September 1993*]

INTRODUCTION

1. In my most recent report to the Security Council on 1 July 1993 [*S/26026*], I gave a detailed account of my efforts since early this year, in particular to reach agreement on confidence-building measures related to Varosha and Nicosia International Airport.

2. I reported on the extensive preparatory work undertaken in Nicosia with the leaders of the two communities between mid-April and mid-May. I described the nearly 50 hours of discussions with both leaders which gradually resulted in draft papers concerning the reopening of the fenced area of Varosha and of Nicosia International Airport, as well as a draft paper containing a list of 14 confidence-building measures. I mentioned that it had been the wish of the two leaders to concentrate the joint meetings beginning on 24 May in New York on the confidence-building measures, in particular those related to Varosha and Nicosia International Airport.

3. I described the considerable effort that was made during the joint meetings in New York to further adjust the proposed arrangements on Varosha and Nicosia International Airport in order to take account in particular of the views expressed by Mr. Denktaş. I referred to Mr. Denktaş's insistence on leaving New York for consultations in Nicosia and Ankara and to his undertaking, stated on 1 June in the presence of the President of the Security Council and the representatives of its permanent members, to use his visit to Cyprus and Turkey to promote acceptance of the Varosha/Nicosia International Airport package and to resume the joint meetings in New York on 14 June.

4. I reported that after Mr. Denktaş's return to the area it soon became apparent, his previous undertaking notwithstanding, that it was not his intention to support the proposed arrangements he had discussed in New York. While in Nicosia and Ankara, Mr. Denktaş expressed strong criticism of the package and announced that he would not to return to New York. In response I had issued a public statement on 12 June expressing my regret that Mr. Denktaş had departed unilaterally from the agreement that had been reached on 1 June and that in the light of this new and regrettable development it had not been possible to pursue the effort in New York to reach an agreement on the package.

5. In my report of 1 July I also reiterated my conviction that agreement on the package would be followed before long by significant progress on the substance of an overall settlement and said that I would therefore persevere in my efforts to reach such an agreement and that I would send my Special Representative, Mr. Joe Clark, to Cyprus, Greece and Turkey. However, I expressed the fear that if we did not achieve an agreement on the package, the effort to reach an overall settlement would suffer a major setback.

6. After the Security Council considered my report, the President of the Council wrote to me on behalf of its members on 7 July [*S/26050*] to convey their full support for my current efforts; their agreement with my assessment that the implementation of the Varosha/Nicosia International Airport package would not only significantly benefit both communities, but would also have a dramatic impact on overcoming existing mistrust and in facilitating an overall settlement of the Cyprus problem; that they shared my disappointment that Mr. Denktaş had not yet adhered to the agreement of 1 June; and that they shared my conviction that once the package was fully presented, its significant benefits would be recognized. The members of the Council underlined the obligation of both parties to cooperate fully with me in arriving, in the first instance, at an agreement on the proposals related to Varosha and Nicosia International Airport. Finally, I was requested to submit a report on the outcome of my efforts to reach an agreement on these proposals and, if necessary, to make recommendations for action by the Security Council.

I. DEVELOPMENTS SINCE MY LAST REPORT

7. My efforts of the past two months have been devoted to an attempt to give effect to the unanimous position of the Security Council that an early agreement should be reached on the package of confidence-building measures related to the Varosha/Nicosia International Airport package. To this end, my Special Representative and Deputy Special Representative were in Cyprus from 13 to 18 July where they held several meetings with the leaders of the two communities. They also met, on both sides, with the leaders of the main political parties, of the key business organizations and with many other persons from the media, academia and other professions. They then visited Athens on 19 and 20 July where they met with Prime Minister Mitsotakis, and Ankara on 21 and 22 July where they had meetings with Prime Minister Çiller, Deputy Prime Minister Inönü and Foreign Minister Çetin. On 23 July, my Deputy Special Representative returned to Cyprus where he had further discussions with the leaders of the two communities.

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[*] Circulated under the double symbol A/47/1016-S/26435.

8. In the meetings with the leaders of the two communities in Cyprus, my Special Representative recalled that the focus on the Varosha/Nicosia International Airport package had been the specific choice of the two leaders. He underlined that this package offered significant benefits for both communities. He stressed that efforts to reach an agreement on this package had to be pursued to a positive conclusion if a serious setback to the overall effort was to be avoided. He called on Mr. Denktaş to submit without further delay any technical questions he might have on the package.

9. The discussions with the leaders of the two communities did not reveal any change in their respective positions:

- Mr. Clerides reaffirmed that the Greek Cypriot side was agreeable to the provisions proposed for Varosha and Nicosia International Airport, provided that no provisions were added that would have the effect, directly or indirectly, of recognizing the "Turkish Republic of Northern Cyprus".

- Mr. Denktaş repeated the criticism of the package which he had expressed following his return to the area in early June. He again said that the part of the fenced area of Varosha north of Dhimokratias Street must remain with the Turkish Cypriot side and that all embargoes would have to be lifted from all air and seaports in the northern part of Cyprus. Mr. Denktaş referred to the deep political division that existed within the Turkish Cypriot community which he maintained prevented him from fulfilling effectively his functions as negotiator. It was because of this internal problem that the questions about the package which had been announced earlier had not been submitted. This domestic problem would have to be resolved by elections which he hoped would take place in November. It would be difficult for the process to move forward until then.

10. The meetings with the Turkish Cypriot political party leaders and some 60 businessmen representing three business organizations in the northern part of Cyprus proved revealing. Several key conclusions emerged:

- Inaccurate and incomplete information had been presented on the impact of the Varosha/Nicosia International Airport package on the Turkish Cypriot people and economy. As a result there was considerable confusion among Turkish Cypriots about the package.

- Turkish Cypriots looked to Turkey for guidance in deciding on the package. Whereas Turkish leaders were to express to my Special Representative their support for the package, this had not yet been conveyed to the Turkish Cypriot leaders and people. This had contributed to a significant extent to existing uncertainties and their difficulties in deciding their attitudes to the package.

- There was widespread interest in the package among Turkish Cypriots and a desire to consider it seriously. They raised many questions which they wished to have answered.

11. In the meetings with Turkish Cypriot party leaders and business organizations, Mr. Clark welcomed the interest expressed in the package by a broad segment of the Turkish Cypriot community. He noted that many of the questions that had been asked reflected the inaccurate and incomplete information that had been provided about the package. He indicated the readiness of the United Nations to respond fully to their questions so that the Turkish Cypriot community could decide on the package on the basis of its true merits.

12. In the meeting in Athens, Prime Minister Mitsotakis was briefed on the discussions in Nicosia. The Greek leader expressed his full support for the package and for the position adopted by the Greek Cypriot side.

13. In the meetings in Ankara, the Prime Minister, Deputy Prime Minister and Foreign Minister were informed of the discussions in Nicosia, in particular those with the Turkish Cypriot side. The important conclusions that had emerged, as described in paragraph 10 above, were described. Mr. Clark reaffirmed that the United Nations was ready to answer all legitimate questions which Turkish Cypriots might wish to raise so that they could decide on the package on the basis of its merits. He stressed that all questions they might have should be put forward without further delay. The Turkish Cypriot community was looking to Turkey for guidance and Turkey could and should play a key role by informing the Turkish Cypriot community of its positive position on the package.

14. The Prime Minister and the other Turkish leaders reaffirmed their own, as well as their country's, full support for the package. They said that the Turkish Cypriots were aware that Turkey supported the package and that the ultimate decision had to be taken by them. They agreed that all questions the Turkish Cypriots might have should be submitted without further delay. They referred to the current political problems in the Turkish Cypriot community which they felt could only be resolved through an election. They had urged the Turkish Cypriots to hold this as soon as possible and certainly before the end of 1993. But efforts to reach an agreement on the package would inevitably be slowed down until after the election.

15. Mr. Clark underlined the danger of a significant delay in reaching an agreement on the package. This would not only jeopardize the confidence-building measures, but would also be a serious setback for the effort to reach an overall settlement. He reiterated that the Turkish Cypriots were looking to Turkey for guidance and that any questions which the Turkish Cypriots might have about the package should be cleared up without further delay. He again stressed the important role which Turkey was expected to play in the process of finding a solution to the Cyprus problem.

16. Following the visit to Ankara, my Deputy Special Representative, Mr. Feissel, returned to Nicosia where he had three further meetings with each of the two leaders. In his meetings with Mr. Denktaş, he again emphasized that any questions Mr. Denktaş might have on the package should be submitted without further delay. Mr. Denktaş again declined to provide any questions, attributing his inability to do so once again to the political conflict within the Turkish Cypriot community. However, Mr. Denktaş recognized that this should not prevent the United Nations from addressing the Turkish Cypriot concerns since the questions had in fact been presented informally in the various meetings with political and business leaders.

II. OBSERVATIONS

17. As is unfortunately evident from the above account, it has not been possible to make progress towards an agreement on the Varosha/Nicosia International Airport package. In the letter of the President of the Security Council of 7 July, the members of the Council underlined the obligation of both sides to cooperate fully and without delay with me to reach promptly, in the first instance, an agreement on the Varosha/Nicosia International Airport package. I am obliged to report that the Turkish Cypriot side has not yet shown the goodwill and cooperation required to achieve an agreement on the package. Its campaign of disinformation has been contrary to the undertaking by Mr. Denktaş on 1 June to promote acceptance of the package.

18. At the same time it is encouraging that in the Turkish Cypriot community there exists widespread interest in the package and a desire to consider it seriously. Addressing the questions raised by the political and business leaders would provide a means of shedding light on its full scope so that a decision can be taken on its merits.

19. In addition, the Government of Turkey's reiteration of its full support for the package must be followed up by a concrete effort to make the Turkish Cypriot community aware that this is the Turkish Government's position. I very much hope that during the coming weeks I will receive more active support from Turkey.

20. As part of my continued efforts to achieve agreement on the package, I propose to send a team of senior experts to Cyprus in early October for about a month to address fully the questions that have been raised concerning the effects of the package, including those relating to the economic imbalance between the two communities. The team will include economists whose expertise will encompass development issues, international trade, customs matters and free trade zones, as well as tourism and civil aviation experts. I have asked the Administrator of the United Nations Development Programme (UNDP) to assist me in assembling this team. The result of the team's work will be discussed with all concerned and will be made public so that the ramifications and benefits of the package are fully understood by all concerned.

21. I have also asked the President of the Council of the International Civil Aviation Organization and the Administrator of UNDP to assist me in sending a team of civil aviation experts to Cyprus as soon as possible to assess the technical requirements for reopening Nicosia International Airport. The team will undertake a thorough examination of the current condition of the airport and identify all requirements for making it operational.

22. I shall convey the outcome of my efforts during the coming two months, including the results of both teams' work, to the Security Council in the report which the Council, in its resolution 831 (1993) of 27 May 1993, requested me to submit by mid-November.

23. As the members of the Security Council have underlined in the President's letter of 7 July, time is of the essence. It is not possible to continue the current effort indefinitely. An agreement on the package should have been concluded by now. Unfortunately, for the reasons explained in the present report, this has not been possible. It is essential that I should receive the cooperation and active support of the Turkish Cypriot side. I have also emphasized in this report the important role Turkey can and should play in helping to achieve objectives endorsed by the international community. If my current efforts do not succeed soon, my mission of good offices will be seriously undermined. In such an event, I would have to invite the members of the Council to consider alternative ways to promote the effective implementation of its many resolutions on Cyprus.

DOCUMENT S/26441*

Letter dated 13 September 1993 from the representative of the Lao People's Democratic Republic to the Secretary-General

[*Original: French*]
[*14 September 1993*]

I have the honour to transmit herewith a letter which Mr. Somsavath Lengsavad and Prince Norodom Sirivudh, Ministers for Foreign Affairs of the Lao People's Democratic Republic and of the interim national Government of Cambodia, respectively, have sent to you, and an unofficial French translation of the joint Lao-Cambodian communiqué dated 31 July 1993.

I should be grateful if you would have the text circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Alounkeo KITTIKHOUN
Permanent Representative
of the Lao People's Democratic Republic
to the United Nations

LETTER DATED 31 JULY 1993 FROM THE MINISTERS FOR FOREIGN AFFAIRS OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC AND OF THE INTERIM NATIONAL GOVERNMENT OF CAMBODIA TO THE SECRETARY-GENERAL

On behalf of the Lao People's Democratic Republic and of Cambodia, we have the honour to transmit herewith the joint Lao-Cambodian communiqué dated 31 July 1993.

We should be very grateful if you would have this letter and its enclosure circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Somsavath LENGSAVAD
Minister for Foreign Affairs
of the Government of the
Lao People's Democratic Republic

(*Signed*) NORODOM SIRIVUDH
Minister for Foreign Affairs
of the Interim National
Government of Cambodia

Joint Lao-Cambodian communiqué issued on 31 July 1993 at Vientiane

1. H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen, co-Presidents of the interim national Government of Cambodia, made an official visit of friendship to the Lao People's Democratic Republic from 28 to 31 July 1993 at the invitation of Mr. Khamtay Siphandone, Prime Minister of the Lao People's Democratic Republic.

2. During their stay in the Lao People's Democratic Republic, H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen were received by Mr. Nouhak Phoumsavanh, President of the Lao People's Democratic Republic. On that occasion, the guests and their host had talks on the relations between the two countries in a cordial atmosphere of good mutual understanding. President Nouhak Phoumsavanh also requested them to transmit to H.R.H. Samdech Preah Norodom Sihanouk, Chief of State of Cambodia, and to Samdech Preah Cheaya an invitation to make a state visit to the Lao People's Democratic Republic at a time convenient to them. The two co-Presidents expressed deep gratitude to President Nouhak Phoumsavanh for his kind invitation to H.R.H. Samdech Norodom Sihanouk and Samdech Preah Cheaya and assured him that they would transmit it to its distinguished destination.

3. H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen and their entourage placed a wreath at the monument to unknown soldiers and visited production centres and historical and cultural sites at both Vientiane and Luang Prabang. They were given a warm welcome wherever they went.

4. The delegation of the Government of the Lao People's Democratic Republic, headed by Mr. Khamtay Siphandone, and the delegation of the interim national Government of Cambodia, headed by H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen, talked in an atmosphere of friendship and cordiality. During the talks, the two parties exchanged views on the international and regional situations, gained information about the situation in their respective countries, and also discussed the prospects for relations of bilateral cooperation.

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* Circulated under the double symbol A/48/397-S/26441.

5. The Lao side warmly welcomed the results of the general elections which were held recently in Cambodia, in May, and the formation of the Constituent Assembly and of the interim national Government of Cambodia, which represent significant results of the implementation of the policy of national harmony in that country. In that spirit, Mr. Khamtay Siphandone expressed deep appreciation for the significant and noble role played by H.R.H. Samdech Preah Norodom Sihanouk, Chief of State and Father of the Cambodian nation, in promoting national reconciliation, peace, stability and the well-being of the entire Cambodian people and in the consolidation and development of the traditional ties of friendship and solidarity between the two countries and peoples.

6. On behalf of the Lao Government and people, Mr. Khamtay Siphandone expressed warm congratulations to H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen on their appointments as co-Presidents of the interim national Government of Cambodia and wished them great success in carrying out their noble task of making Cambodia an independent, peaceful, neutral, non-aligned and prosperous country having friendly relations with all countries, particularly the neighbouring countries.

7. The Lao party reiterated its firm desire to continue to maintain and develop the traditional relations of friendship and good-neighbourliness between the Lao and Cambodian peoples.

8. H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen, co-Presidents of the interim national Government of Cambodia, expressed deep gratitude to Mr. Khamtay Siphandone, Prime Minister of the Lao People's Democratic Republic, for his kind invitation to make an official visit of friendship to the Lao People's Democratic Republic, which is clear proof of the desire to strengthen the traditional ties of friendship, solidarity and cooperation between the Lao and Cambodian countries and peoples.

9. The delegation of the interim national Government of Cambodia expressed its sincere thanks to the Lao Government and people for their very active contribution to the peace process in Cambodia since the beginning of the peace negotiations, particularly after the signing of the Paris agreements and until the Cambodian people organized free and democratic general elections in Cambodia, selected the members of the Constituent Assembly and subsequently established the interim national Government of Cambodia.

10. The two parties stressed the importance of the development of the traditional relations of friendship and good-neighbourliness between the two countries on the basis of the principles of mutual respect for independence, sovereignty and territorial integrity, non-interference in the domestic affairs of each country, non-use of force or threat of its use, peaceful settlement of all problems arising in relations between the two countries, cooperation, equality and mutual advantage. This corresponds to the fundamental long-term interests of each people and accords with the spirit of the Paris agreements on Cambodia of 23 October 1991, which the Lao People's Democratic Republic and Cambodia duly signed.

11. In this spirit, the two parties laid emphasis on the expansion of cooperation between the two countries in the economic, commercial, cultural, scientific and technical fields.

12. The two parties noted that the international situation as a whole is still difficult and complex. However, the general trend of the situation in South-East Asia is one of improvement in the relations of friendship and cooperation among the countries of the region.

13. The two parties took the view that the official visit of friendship by the delegation of the interim national Government of Cambodia to the Lao People's Democratic Republic was a success, thereby marking a new stage in the development of the traditional relations of friendship and good-neighbourliness between the two countries and peoples.

14. H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen, co-Presidents of the interim national Government of Cambodia, once again expressed their deep gratitude to the Lao Government and people, who had given them a warm and hospitable welcome. On behalf of the interim national Government of Cambodia, H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen invited Mr. Khamtay Siphandone, Prime Minister of the Lao People's Democratic Republic, to make an official visit of friendship to Cambodia at a suitable time. This invitation was gratefully accepted and the date of the visit will be communicated through the diplomatic channel.

For the Government of the
Lao People's Democratic Republic

Khamtay SIPHANDONE
Prime Minister

For the Interim National
Government of Cambodia

NORODOM RANARIDDH
Co-President

HUN SEN
Co-President

DOCUMENT S/26442

Letter dated 15 September 1993 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*15 September 1993*]

Pursuant to Article 94, paragraph 2, of the Charter of the United Nations, a request is hereby made that the Security Council take the necessary measures under Chapter VII of the Charter in order to enforce the order of 13 September 1993 of the International Court of Justice [20] pursuant to the "further Requests for the Indication of Provisional Measures" in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide brought by the Republic of Bosnia and Herzegovina against "Yugoslavia (Serbia and Montenegro)".

The 13 September 1993 ruling [21] reaffirms the Court's previous order of 8 April 1993 and which should be "immediately and effectively implemented". In view of the fact that (*a*) the aggression directed at the Republic of Bosnia and Herzegovina continues, (*b*) the genocide against the Bosnian people is unchecked, in contravention to the 8 April 1993, order, and (*c*) the genocide and aggression is furthered through the sieges of Bosnian cities including Sarajevo, Gorazde and other so-called "safe areas" and other areas, we call upon the Security Council to take the necessary and immediate steps to lift the sieges and thereby confront the ongoing genocide.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative
of Bosnia and Herzegovina
to the United Nations

DOCUMENT S/26444

Letter dated 13 September 1993 from the representative of New Zealand to the President of the Security Council

[*Original: English*]
[*15 September 1993*]

I have the honour to enclose a paper that New Zealand has prepared for the consideration of members of the Council, which contains a number of proposals concerning Security Council action on resolutions establishing peace-keeping operations.

I should be grateful if this letter and its attachment could be circulated as a document of the Security Council.

(*Signed*) Colin R. KEATING
Permanent Representative
of New Zealand
to the United Nations

ANNEX

Security Council action on resolutions establishing peace-keeping operations

1. New Zealand considers that the Security Council is steadily improving the quality of its consideration of issues relating to the establishment of mandates for peace-keeping operations. Resolution 858 (1993) is a good example of the progress that has been made.

2. Looking to the future, and bearing in mind the operational principles identified in the presidential statement of 28 May 1993 [*S/25859*], New Zealand proposes that, unless there are exceptional circumstances, the following elements should be employed in all resolutions authorizing peace-keeping operations:

(*a*) A precise statement of the mandate;

(*b*) A defined term for the mandate;

(*c*) Provision for review of the mandate;

(*d*) A requirement for ongoing reporting;

(*e*) Requirements relating to the safety of United Nations personnel.

3. New Zealand also proposes that it should become standard practice for the Council:

(*a*) To obtain detailed financial statements;

(*b*) To obtain input from States not members of the Security Council.

A. *Precise statement of mandate*

4. In New Zealand's view, more deliberate Security Council discussion prior to authorization of an operation can only improve the quality of the eventual decision and reduce the subsequent need to revisit the issue. In resolution 858 (1993) it proved possible to define concretely the mandate in three short subparagraphs.

5. This is not to oppose necessary levels of flexibility. But in our opinion, when the Council sees the need for flexibility, it is essential that there be, first of all, a clear understanding of the limits of flexibility - all the more need, in such cases, for deliberate debate in advance.

6. The perceived advantages of flexibility are more often than not likely to be outweighed by the dangers of imprecision and open-endedness. There are already too many examples of situations where United Nations responsibility has incrementally expanded under a vague mandate in response to the day-to-day pressure of developments. This can lead to operational confusion and a United Nations commitment quite different from the one originally contemplated.

7. In the case of complex mandates, it would be desirable for the details of the mandate to be set out in an annex to the resolution. This would greatly assist potential troop-contributing countries in identifying what the operation involved, in preparing their personnel and in securing the necessary support, both material and financial. It would assist the media in understanding the operation properly and it would assist the explanation of the operation to the population in the country affected.

B. *Term of mandate*

8. In New Zealand's view, it is important that mandates not be unrealistically short. Given the inevitable lead-time in setting up operations, it is important not to create artificial and unnecessary deadlines at too early a stage.

9. It is also fiscally more responsible, where common sense indicates that the operation will need to run for a reasonable period, to provide a realistic time-frame for the mandate. This enables proper financial planning by troop-contributing countries and a responsible basis for consideration of appropriations in the Fifth Committee of the General Assembly.

10. It is equally important, however, that mandates not be open-ended. Unlimited terms have the tendency to encourage protagonists to avoid negotiating permanent peaceful solutions to underlying causes of conflict. In most cases an initial term for a mandate should not be less than six months and not longer than 12 months.

C. *Provision for review*

11. All mandates should include specific provision for review after a defined period. Virtually all operations will need fine-tuning after actual experience in the field. In New Zealand's view a formal review is the responsible way for dealing with the need for flexibility to respond to such situations. In most cases an initial review should take place after 90 days. Thereafter reviews should be set at six-month intervals.

12. Formal review also serves to allow an opportunity for important political assessments to be made about the ongoing viability of an operation or the acceptability to the Security Council of continuing an operation where, for example, a party to the conflict is not living up to its obligations.

D. *Reporting requirements*

13. New Zealand considers that regular reporting to the Council (which should be shared with troop-contributing countries) is essential for the proper discharge, in a transparent manner, of the relevant provisions of Chapters V, VI and VII of the Charter of the United Nations.

14. The daily situation reports from the United Nations Protection Force are a useful model. For other operations, such as the United Nations Operation in Somalia, weekly situation reports might be appropriate. Certainly, as a minimum, monthly reports from all operations should become the norm.

E. *Safety requirements*

15. New Zealand also considers that in this very important area the Security Council is again steadily improving its practice. But more needs to be done.

16. We welcome the Secretary-General's report dated 27 August 1993 [*S/26358*] in response to the presidential statement of 31 March 1993 [*S/25493*] and which, in paragraph 35, addresses the action which can be taken by the Council at the time of establishing a mandate.

17. New Zealand believes that, in general, resolutions establishing mandates should require that before any deployment:

(*a*) All the parties to the conflict should confirm to the Secretary-General that they will take all necessary measures to ensure the security and safety of the United Nations operation and all its personnel.

(*b*) The host country should confirm that the provisions of the Convention on the Privileges and Immunities of the United Nations will apply from day one and, in the event that this is not feasible *de jure*, then it will be applied *de facto*, provided that the necessary legal action is taken within 60 days and that benefits to the United Nations are retroactive to the effective date of commencement of the operation.

(*c*) A status-of-forces/mission agreement is concluded within 60 days of the adoption of the mandate confirming, *inter alia*, the status of all personnel, including contract staff and non-governmental organizations staff who are engaged in the operation.

18. New Zealand also considers that the Security Council should develop a standard statement, which could conveniently be included in or annexed to each resolution establishing a mandate. Such a statement should incorporate the following:

(*a*) Attacks or use of force against United Nations personnel will be considered as interference with the exercise of the responsibility of the Security Council under the Charter and may require the Council to consider appropriate measures;

(*b*) Failure to meet obligations to take all necessary steps with regard to the safety and security of United Nations operations and personnel may also require the Council to consider appropriate measures;

(*c*) The Security Council will hold persons who order or carry out attacks on United Nations personnel accountable for their actions.

F. *Financial information*

19. Under Article 17 of the Charter, the General Assembly has exclusive competence to adopt decisions on financial matters. Nevertheless New Zealand believes that all members of the Security Council have a responsibility to ensure that peace-keeping operations, which the Council approves, have a sound financial and administrative basis. This means that it is essential that the Council receive the best possible estimate of the financial implications of a proposed operation.

G. *Input from wider membership of the United Nations*

20. New Zealand believes it is essential to develop mechanisms, appropriately devised for each case, to enable the Council, through informal working groups or similar processes, to consult and obtain input from States not members of the Council that have a special interest in the issue, whether because they are involved at a regional level or because they are troop-contributors. Such mechanisms should also be employed whenever the Council conducts formal reviews of an operation.

DOCUMENT S/26446[*]

Letter dated 15 September 1993 from the representative of Yugoslavia to the to the Secretary-General

[*Original: English*]
[*15 September 1993*]

I have the honour to transmit, enclosed herewith, the text of a letter from Mr. Radoje Kontic, Prime Minister of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the text circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia
to the United Nations

TEXT OF THE LETTER

We have been greatly perturbed and preoccupied by the latest totally unprovoked armed aggression of the Republic of Croatia against the United Nations Protected Areas.

This second major military offensive of the Republic of Croatia against those areas has dealt another heavy and serious blow to the Vance plan and has demonstrated the lack of readiness on the part of the Republic of Croatia to resolve all outstanding issues concerning the plan through peaceful and political means.

By openly violating once again the Vance plan, the Republic of Croatia challenges the authority of the United Nations and the presence of the peace-keeping forces in the protected areas. I wish to remind you that on the basis of the Vance plan and during its adoption by the Security Council, the United Nations has undertaken to guarantee peace and security to the entire population in the protected areas. We are confident that the Republic of Croatia would not have resorted to this act of armed aggression had the United Nations more forcefully and consistently insisted that the obligations contained in Security Council resolution 802 (1993) on unconditional withdrawal from all territories taken by military aggression of 22 January 1993 be honored by the Republic of Croatia.

The armed action of the Republic of Croatia against the protected areas threatens not only peace and security in those areas but the whole peace process embarked upon in Geneva concerning the crisis in Bosnia and Herzegovina. Namely, the worsening of the situation in the protected areas would undoubtedly adversely affect the atmosphere and the course of the Geneva peace process in regard to the crisis in Bosnia and Herzegovina.

As Prime Minister of the State that co-signed the Vance plan, I officially appeal to you to use all your authority and influence, through urgent actions of the Security Council, to bring about immediate and unconditional withdrawal of the Croatian Army forces from the three villages occupied by the latest aggression. That would create conditions for reaching the agreement on absolute cease-fire and cessation of hostilities that the Federal Republic of Yugoslavia firmly supported and actively endeavored for in all contacts with the officials of the Republic of Croatia and the representatives of the United Nations Protection Force (UNPROFOR).

The Federal Republic of Yugoslavia supports the Vance plan and is interested in having it honored and adhered to by all. We therefore consider that the latest aggression on the protected areas by the Republic of Croatia must not come in the way of the extension of the mandate for the forthcoming period. I am confident that this is the position of the United Nations as well. Failure to extend the mandate would offset the past positive results of UNPROFOR's presence and jeopardize the chances for finding a political solution.

(*Signed*) Radoje KONTIC

DOCUMENT S/26447[**]

Letter dated 15 September 1993 from the representative of Belgium to the Secretary-General

[*Original: English/French*]
[*15 September 1993*]

I have the honour to transmit to you herewith the English and French texts of a statement issued on 13 September 1993 by the Presidency of the European Community on the peace process in the Middle East.

I should be grateful if you could have this letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Paul NOTERDAEME
Permanent Representative of
Belgium to the United Nation

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[*] Circulated under the double symbol A/48/402-S/26446.

[**] Circulated under the double symbol A/47/1019-S/26447.

TEXT OF THE STATEMENT

The European Community and its member States pay tribute to the vision and courage of the Israeli and Palestinian leaders who signed this historic agreement, which represents a positive breakthrough in the peace process.

The European Community and its member States offer their continuing political support and readiness to participate in further international arrangements arising in connection with implementation of the agreement.

Stressing the fact that the Community and its member States are already the largest net contributor to the occupied territories, the Community and its member States announce their intention to continue to be a substantive contributor. The European Community is ready to offer a package of immediate aid of 20 million ECU and to discuss medium-term aid with Palestinian institutions as they are formed.

The European Community and its member States reiterate their commitment to a comprehensive peace and hope that progress will be accomplished in other bilateral negotiations and in the multilateral talks on future cooperation. As a chairman of the Regional Economic Development Working Group, the European Community and its member States are prepared to contribute to all forms of regional economic cooperation.

DOCUMENT S/26448

Letter dated 13 September 1993 from the representatives of Portugal, the Russian Federation and the United States of America to the President of the Security Council

[*Original: English/Portuguese*]
[*16 September 1993*]

Upon instructions from our Governments, we have the honour to send to you the English and Portuguese texts of the statement made by the representatives of the delegations of Portugal, the Russian Federation and the United States of America in Lisbon, on 10 September 1993, concerning the situation in Angola, and to request that this be circulated as a document of the Security Council.

(*Signed*) Pedro CATARINO
Permanent Representative of Portugal to the United Nations

(*Signed*) Yuliy M. VORONTSOV
Permanent Representative of the Russian Federation to the United Nations

(*Signed*) Madeleine Korbel ALBRIGHT
Permanent Representative of the United States of America to the United Nations

JOINT STATEMENT DATED 10 SEPTEMBER 1993

1. Representatives of the observer countries of the Angolan peace process, Portugal, Russia and the United States of America, met today in Lisbon to discuss the situation in Angola.

2. The delegations noted with concern that, as a result of the military offensive of the National Union for the Total Independence of Angola (UNITA), the war in Angola is intensifying, resulting in legitimate efforts by the Government of the Republic of Angola to defend itself. They once more reaffirmed that the solution of the Angolan conflict will have to be found in a negotiated settlement leading to genuine national reconciliation.

3. The delegations stressed their Governments' satisfaction with the initiatives undertaken by the Special Representative of the Secretary-General in Angola to persuade UNITA's leader to return to the negotiating table, on the basis of the Peace Accords, the results of the September 1992 elections and the additional principles reached in Abidjan.

4. Having in mind the next Security Council meeting on Angola, the delegations agreed upon recommendations to their respective Governments as to the measures to be proposed to the Council to undercut UNITA's ability to pursue war and to make it explicit to UNITA that it must resume negotiations.

5. The delegations gave special attention to the tragic humanitarian situation in Angola as well as to the drama of all foreign citizens trapped in the areas of conflict. They demanded the immediate release of all foreigners held captive by UNITA.

6. They voiced their appreciation for the efforts undertaken by the United Nations in order to alleviate the suffering of the victims of the conflict and expressed extreme concern over the difficulties and incidents that continue to disrupt the distribution of humanitarian relief.

7. The delegations of the Russian Federation and of the United States expressed their gratitude to the Government of Portugal for its hospitality.

DOCUMENT S/26449

Letter dated 15 September 1993 from the representative of Kuwait to the President of the Security Council

[*Original: English*]
[*16 September 1993*]

On instructions from my Government, I have the honour to inform you of the latest developments with regard to Iraq's failure to comply with Security Council resolution 687 (1991) and the other relevant resolutions since the Council's last review of the sanctions regime against Iraq on 21 July 1993. This conduct constitutes a flagrant breach of the commitment it entered into on accepting that resolution and persistent defiance of the will of the international community. Iraq's approach to the implementation of its obligations under relevant Security Council resolutions has remained basically unchanged, in spite of its claim to be implementing them, without fully shouldering its basic responsibilities in respect of the letter and spirit of those resolutions. The following account of some Iraqi practices is a testimony to its failure to comply with the resolutions of the international community.

A. *Iraqi citizens and their property in Kuwait*

Kuwait is committed to compensating Iraqi farmers/landlords for their property on the Kuwaiti side of the border. This is documented in a letter dated 2 December 1992 from Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, First Deputy Prime Minister and Minister for Foreign Affairs of the State of Kuwait, addressed to the Secretary-General. To this end, and in consultation with the Secretary-General, an impartial Swedish land survey expert is currently engaged in carrying out the task of assessing the value of the property and the number of Iraqi nationals located on the Kuwaiti side of the border. So far the Iraqi regime has encouraged the Iraqi farmers/landlords to reject the principle of compensation and relocation, in apparent defiance of the newly demarcated boundary between Kuwait and Iraq. In a letter dated 1 March 1993, the Representative of Iraq rejected the principle of relocation and compensation, stating that the "Iraqi authorities shall take no action that might tend to recognize the injustice deliberately inflicted on Iraq". He added that "the United Nations must assume legal and moral responsibility for the iniquitous decision it has taken and for the consequences to which it gives rise in terms of the expropriation from Iraqi citizens of land that belongs to their forefathers". Furthermore, the Iraqi authorities had informed the United Nations that Iraq would not cooperate with the assessment by the Swedish expert because that would be tantamount to accepting the demarcated boundary.

Iraq's refusal to cooperate with the Swedish expert and its continued unwillingness to assist in the relocation of Iraqi farmers/landlords whose properties are located on the Kuwaiti side of the border, is a clear indication of Iraq's persistent pursuit of a policy of defiance of Security Council resolution 833 (1993) adopted under Chapter VII of the Charter of the United Nations, in which the Council welcomed the demarcation of the land and offshore boundaries between Kuwait and Iraq and demanded that Iraq and Kuwait respect the inviolability of the international boundary between the two countries.

B. *Kuwait's security trench*

On 12 May 1993, Kuwait informed the Secretary-General that it had decided to take action to prevent infiltration of Iraqi agents, smugglers and saboteurs into Kuwaiti territory, such as those who plotted the assassination attempt of former President George Bush. In an effort to prevent such infiltration, Kuwait proceeded to construct a security trench in Kuwaiti territory at a distance of 70 metres from the internationally demarcated border.

In coordination with the United Nations Iraq-Kuwait Observation Mission (UNIKOM), on 9 June 1993, Kuwait started the construction of the trench from the Ojeh triangle in the south-west of Kuwait, proceeding northward. UNIKOM has been reporting periodically on the project.

So far the project has been progressing in a satisfactory manner through areas without farms, oil wells or population. However, the endeavour was not without incidents. On 17 August, and again on 25 August, Iraqi infiltrators crossed the international boundary into Kuwait from Iraq in an effort to seize some equipment used in the project. On both occasions, Kuwaiti border patrols exchanged fire with the infiltrators, who fled back to Iraq.

Taking into account Iraq's persistent refusal to recognize the newly demarcated international boundary between Kuwait and Iraq and its persistent disregard of the boundary and the definitive nature of the decisions of the United Nations Iraq-Kuwait Boundary Demarcation Commission, Kuwait foresees that Iraq will not accept the trench being dug in populated areas in the central part of the boundary. Kuwait strongly believes that Iraq will prevent the trench from being completed in that area by whatever means.

Kuwait calls upon the Security Council to be vigilant in monitoring Iraqi actions in the next few months so that Kuwait can exercise its sovereign right in constructing this security trench.

C. *The continued Iraqi assertions that Kuwait is part of Iraq*

The continued Iraqi assertions that Kuwait is part of Iraq is a clear indication of Iraq's indifference to complying with the resolutions of the Security Council. Furthermore, such claims are unequivocal proof of Iraq's unwillingness to recognize the State of Kuwait, which constitutes a threat to the stability and security of both Kuwait and the region.

Given Iraq's indifference to the resolutions of the Security Council, it must be called upon to desist from such claims each time the sanctions regime is reviewed, since they constitute unequivocal defiance of the essence of these resolutions, under which is required to respect the independence, sovereignty and territorial integrity of Kuwait.

We wish to review some of the Iraqi claims that have come to light since the last review, for your benefit and for the benefit of the members of the Security Council.

1. On 31 July 1993, an article entitled "Kuwait will remain the beloved offspring of Iraq" appeared in the newspaper *Al-Iraq Al-Iraqia*, in which the writer, recalling the Iraqi invasion of Kuwait on 2 August 1990, wrote: "upon the orders of our great leader Saddam Hussein, the critical moment has arrived to overthrow the tyrant of Kuwait and his decaying regime ... and to get back our land that was stolen from our Iraq by force and under the order of treachery and imperialism". The writer further stated: "It is a joyous moment ... that will remain with us for as long as we live ... no matter how much pressure our enemies would exert on our great Iraq by their different aggressive military means, Iraq will not relinquish its legitimate right in retaining Kuwait".

2. On 31 July 1993, an article entitled "2 August 1990 is the great Al Nida Day ... the start of the great awakening" appeared in the newspaper *Al-Iraq Al-Iraqia*, in which the writer stated: "On 2 August 1990 the Iraqis succeeded in correcting a grave historical mistake ... when they turned back to its correct path, by returning Kuwait to its mother country ... Kuwait, historically and in reality is an integral part of Iraq". He added: "The 2 August 1990 was a revolution by all means to correct a historical mistake which was the responsibility of Great Britain, American imperialism and international zionism".

3. On 5 August 1993, an article entitled "Kuwait - our heart and lungs" appeared in the newspaper *Al-Jumhuriyah*, in which the writer described Saddam Hussein's decision to declare Kuwait a province of Iraq as a historical decision that cannot be changed or annulled by force. The writer further stated that "when this land was transformed - Kuwait into a base aimed towards the destruction of Iraq and its people ... our leader, Saddam Hussein, took the decision to return the branch to the whole ... the decision of 2 August 1990 will remain a sacred decision because it returned the land that our hearts yearned for".

4. On 26 August 1993, all the Iraqi newspapers referred to a statement given by a high-level Iraqi official in which he officially threatened Kuwait when it decided to extend humanitarian assistance to the Kurds in the northern part of Iraq. The high-level official stated that "Iraq considers this decision ... a serious threat to the sovereignty and security of Iraq ... and will reserve its right to take appropriate action towards this aggressive act in due time".

D. *Kuwaiti and third-country nationals, prisoners and missing persons*

With regard to this humanitarian question, although two years have passed since the adoption of resolution 687 (1991) and in spite of Iraq's official acceptance of that resolution, no progress has been achieved, as testified by the following.

1. Iraq's continued refusal to attend the meetings of the Tripartite Committee (comprising coalition members, Iraq and the International Committee of the Red Cross (ICRC)) dealing with the issue of prisoners, detainees and missing persons. Iraq did not attend the last meeting of the Committee called by ICRC in Geneva on 29 July 1993.

2. Iraq has not yet discharged its obligations under paragraph 30 of resolution 687 (1991), by which it is required to extend all necessary cooperation to ICRC by providing lists of prisoners and detainees, facilitating the access of the Committee to places where they are located or detained, and facilitating the Committee's search for them.

3. Iraq has not yet replied to the official request by ICRC for information concerning the files of 627 individuals. Although six months have passed since the files were handed over to Iraq, it is clearly reneging on its previous undertaking to reply regarding any file within 10 days of receiving it.

4. Outside the context of the Security Council's mechanism for dealing with this matter, Iraq has prevented the Secretary-General's Envoy to the League of Arab States, Mr. Rashid Idris, from carrying out his mission to visit Iraq and use his good offices as a mediator for the release of the prisoners and detainees. It has also thwarted efforts by the Moroccan monarch, King Hassan II, and his gracious mediation aimed at securing the release of Kuwaiti prisoners and detainees.

E. *Return of property seized from the public and private sectors*

Despite Iraq's superficial cooperation in this matter, it should be borne in mind that, what Iraq returns in fulfilment of its obligation under resolutions 686 (1991) and 687 (1991) represents an incomplete implementation of those resolutions, for the following reasons:

1. Most of the equipment handed over by Iraq has been intentionally wrecked or destroyed, sometimes a few hours before the hand-over, which renders it worthless and of no further use.

2. Iraqi authorities still insist that they are not responsible for the return of property estimated at hundreds of millions of dollars stolen from the private sector, some of which was burned and other items moved to Iraq, as documented by inventories published by Iraqi ministries, signed and sealed by special government bodies that came to Kuwait to supervise the seizure and transport operations. Kuwait is in possession of a number of such documents left behind by the Iraqi regime after the liberation of Kuwait.

3. Iraq is not fulfilling its obligations with regard to the list agreed on with the United Nations Coordinator for the hand-over of stolen property inasmuch as it often postpones and delays the hand-over operations, which entails additional financial costs and administrative measures for Kuwait.

F. *The Compensation Fund*

Iraq has not fulfilled its obligation with regard to compensation under section E of resolution 687 (1991), and it refuses to disclose its gold and hard currency assets. It persists in refusing to implement resolutions 706 (1991) and 712 (1991), a violation that affects both Iraqis and non-Iraqis. The humanitarian dimension of this question cannot be ignored.

G. *Weapons of mass destruction*

Iraq's cooperation with the United Nations Special Commission and the International Atomic Energy Agency has not been complete. In spite of its claim to be providing information on the programme for the development of chemical and biological weapons and cooperating with the inspection teams, Iraq systematically restricts the freedom of movement of the Special Commission and has on several occasions threatened individuals serving on the Commission, in a spirit of defiance and contrary to what has been promised to the Special Commission. Iraq has not yet permitted the operation of cameras in weapons development sites.

The issues raised above are clear indicators of Iraq's persistent pursuit of a policy of defiance of Security Council resolutions. Since the objective of these resolutions is to secure full respect for Kuwait's independence, sovereignty and territorial integrity, the international community must take appropriate action to secure Iraq's compliance, in letter and spirit, with all relevant Security Council resolutions. The Council needs to address not only the consequences of the invasion and occupation of Kuwait but also the Iraqi motives for the invasion. In other words, the Security Council should focus on the continued assertion that Kuwait is part of Iraq. Otherwise Iraqi intentions will continue to pose a threat to security and peace in the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Mohammad A. ABULHASAN
Permanent Representative
of Kuwait
to the United Nations

DOCUMENT S/26451

Note by the Secretary-General

[*Original: English*]
[*16 September 1993*]

The Secretary-General has the honour to transmit to the Security Council a report submitted by the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of Security Council resolution 687 (1991).

Report dated 10 September 1993 on the high-level technical talks held in New York from 31 August to 9 September 1993

INTRODUCTION

1. From 31 August to 9 September 1993, high-level technical talks were held at United Nations Headquarters between delegations from the United Nations Special Commission and the International Atomic Energy Agency, on the one hand, and, on the other, a delegation from Iraq. The Special Commission delegation was led by Ambassador Rolf Ekeus, Executive Chairman of the Commission, the IAEA delegation by Mr. Maurizio Zifferero, Action Team Leader under Security Council resolution 687 (1991), and the Iraqi delegation by General Amer Muhammad Rashid, Director of the Military Industrialization Corporation of Iraq. A complete list of the delegations is contained in an attachment. The present report sets out the background, organization and objectives of the talks. Annexes I, II and III relate respectively to outstanding issues in connection with prohibited programmes, ongoing monitoring and verification and reports by the Special Commission and IAEA under paragraph 22 of resolution 687 (1991). These annexes identify the issues discussed during the talks under the relevant headings and, where appropriate, the conclusions on those points. They can serve as a basis for further discussions and immediate steps to implement required measures to achieve the shared objectives.

I. BACKGROUND

2. The talks were the outcome of a visit to Baghdad, from 15 to 19 July 1993, by the Executive Chairman of the Special Commission,

in the course of which he had met the highest levels of the Iraqi Government. The Chairman's report to the Security Council on his visit was circulated to the Council on 21 July 1993 [*S/26127*]. That report set out position papers by the Government of Iraq and by the Executive Chairman, together with the latter's initial comments on the Iraqi paper. The report also contained conclusions that represented common understandings between the Commission and Iraq arrived at during the Chairman's visit.

3. These conclusions provided for "the Commission and Iraq to commence, as soon as possible, high-level technical talks in New York. ... Iraq and the Commission are agreed that a principal topic to be discussed will be the nature and implementation of the provisions of the plans for ongoing monitoring and verification as approved by Security Council resolution 715 (1991), as well as all other outstanding issues between Iraq and the Commission". This was to be done "with a view to resolving the aforesaid issues".

II. ORGANIZATION

4. The high-level technical talks held in New York for the purposes indicated were organized to allow for plenary sessions, to define with greater clarity the principal matters for discussion, and for five specialized group meetings in respect of the nuclear, chemical, biological, missile and operational areas. Arrangements were also made for private meetings between the Executive Chairman and the head of the Iraqi delegation to deal with the political aspects arising out of certain of the technical matters and, together with the leader of the IAEA Action Team, to review the progress of the groups. Arrangements were made for the working groups to meet simultaneously. In all two plenary meetings and 36 group meetings were held.

III. OBJECTIVES

5. At the first plenary meeting, the head of the Iraqi delegation stressed that it was the objective of the delegation to resolve all outstanding matters with a view to the earliest possible implementation of paragraph 22 of Security Council resolution 687 (1991) regarding the lifting of the prohibitions against the import of commodities and products originating in Iraq and financial transactions related thereto. In the course of the talks, the Iraqi delegation would spell out in detail its concerns regarding ongoing monitoring and the application of the general provisions in the plans approved by resolution 715 (1991). The delegation asked that the other side take those concerns into consideration. For its part, the Iraqi delegation would hear the concerns of the Commission and of IAEA, in particular their specific and concrete identification of those issues which they considered to be outstanding in the implementation of section C of resolution 687 (1991). If some issues could not be resolved by 9 September, they should be taken up and resolved in talks at the highest levels in Baghdad in the first week of October. He continued to stress that objective throughout the talks.

6. The Executive Chairman of the Special Commission indicated that the Commission and IAEA shared the view of the Iraqi delegation that the principal objective of the talks was to arrive at a situation where the Commission and IAEA would be in a position to submit to the Security Council fully credible reports stating that, in their view, Iraq had met the requirements expressly relating to section C of resolution 687 (1991) laid down in paragraph 22 of that resolution. With that objective shared by both sides, it should be possible to bring the talks to a successful conclusion. The Commission and IAEA would identify outstanding issues in the implementation of section C of resolution 687 (1991). They would also explain in greater detail the manner in which the plans approved under resolution 715 (1991) would be implemented. In the course of such explanation the various concerns identified by Iraq would, as far as possible, be met. The Commission and IAEA would describe how they envisaged the implementation of the plans in circumstances when a normal atmosphere prevailed and a climate of confidence was developing. The key to implementation of the plans in as non-intrusive a manner as possible lay in transparency and cooperation as ongoing monitoring and verification got under way. The real answer thus lay in the practical implementation of the plans. The Commission and IAEA would also endeavour, in the course of the talks, to specify in greater detail the requirements that would have to be met for the Commission and IAEA to be in a position to report to the Council, under paragraph 22 of resolution 687 (1991), that in their view Iraq was in compliance with section C of resolution 687 (1991).

7. The leader of IAEA Action Team, commenting on the issues raised in the plenary session, stated that there was full identity of views between IAEA and the Special Commission on the nature and implementation of ongoing monitoring and verification. That identity was reflected in the similar language contained in document S/22872/Rev.1 (the IAEA plan) and document S/22871/Rev.1 (the Commission's plan). As to the main, still outstanding, issues concerning the identification and disposition of Iraq's nuclear programme prohibited by resolution 687 (1991), there were still a number of areas in the different elements of the programme where clarification and verification were needed. It was felt that the technical talks in New York might have helped in clarifying those grey areas. Great importance was also attached to the provision of information on the foreign suppliers of specific items used in the programme and to the identification of the source(s) that provided Iraq with technical advice.

8. During the initial plenary meeting, in the light of the shared objective, the talks centred around two principal issues. The first was the nature and implementation of ongoing monitoring and verification, in particular a detailed examination of the selection of sites for monitoring, the nature of such monitoring and its relation to international agreements in the field of disarmament, the frequency and duration of inspections, use of ground inspections, aerial surveillance, photography, sensors and other means of verification and its relation to Iraqi concerns regarding security, sovereignty and independence. The second issue related to outstanding matters arising in connection with the identification and disposal of Iraq's programmes prohibited by resolution 687 (1991), in particular, provision of the information remaining to be provided to the Commission and IAEA for them to have a comprehensive understanding of those programmes and provision of data on the foreign suppliers for those programmes. Those issues were further pursued in the working groups.

(*Signed*) Rolf EKEUS
Executive Chairman of the Special Commission

(*Signed*) Amer Muhammad RASHID
Head of the delegation of Iraq

(*Signed*) Maurizio ZIFFERERO
Leader, IAEA Action Team

ATTACHMENT

Delegation of Iraq

1. General Amer M. Rashid
   Director, Military Industrialization Corporation (MIC)

2. Ambassador Nizar Hamdoon
   Permanent Representative of Iraq to the United Nations

3. Abdul Halim Al-Hijaj
Vice Chairman, Iraqi Atomic Energy Commission (IAEC)

4. Hosam M. Amin
Expert (MIC)

5. Khaled E. Saeed
Expert (IAEC)

6. Sami R. T. Al-Araji
Expert (IAEC)

7. Ghazi Faisal Najm Al-Din
Expert (MIC)

8. Rihab R. T. Al-Azawi
Expert (MIC)

9. Alaa M. Abbas Al-Saeed
Expert (MIC)

10. Saad A. Makki
Expert (MIC)

11. Hamid K. Ibrahim
Expert (MIC)

12. Kamal A. Mohammed
Expert (MIC)

13. Basil A. Mohammed
Expert (MIC)

14. Said H. Hasan Al-Musawi
Minister Plenipotentiary
Ministry for Foreign Affairs

15. Samir K. Al-Nima
Minister Plenipotentiary
Permanent Mission of Iraq to the United Nations

16. Abdul-Wahab A. Jassim
Second Secretary
Ministry for Foreign Affairs

17. Jasem A. Hassan
Administrative Assistant (MIC)

Delegations of the Special Commission and IAEA

Special Commission

Mr. R. Ekeus
Mr. P. Corden
Mr. M. Saint Mleux
Mr. J. Santesson
Mr. J. Scott
Mr. T. Trevan
Mr. W. Eckert
Mr. N. Smidovich
Ms. R. Davies
Mr. P. Palanque
Mr. S. Ritter
Mr. M. Silver
Mr. R. Hill
Mr. H. Reeps
Mr. D. Dorn
Ms. L. Gerard
Mr. D. Kelley
Mr. P. Binder
Mr. V. Beck
Ms. K. Bresnahan
Mr. O. Ignatiev
Mr. F. Guir
Mr. R. Godfrey
Mr. J. Sarisky

IAEA

Mr. M. Zifferero
Mr. R. Kelley
Mr. R. Hooper
Mr. B. Andemicael

ANNEX I

Outstanding issues

1. The working groups were instructed to conduct a thorough review of all issues outstanding in regard to the implementation of Security Council resolutions 687 (1991), section C, 707 (1991) and 715 (1991). In regard to resolution 687 (1991), the groups addressed, in particular, concerns identified by the Special Commission and IAEA relating to Iraq's implementation of paragraphs 8, 9, 11, 12 and 13 of that resolution. The groups were asked to resolve, as far as possible, the outstanding issues under those paragraphs and, where that could not be done during the current talks, to list the remaining issues relating to what was required of Iraq to bring it into compliance with the paragraphs. As regards paragraph 10 on ongoing monitoring and verification, the working groups addressed concerns raised by both sides. The results of that consideration will be found in annex II.

2. The paragraphs which follow set out a brief account of the remaining issues for compliance identified in the working groups except the group on operational issues, the outcome of its work being reflected in annexes II and III. The elaboration of these remaining issues is contained in the lists being delivered to the head of the delegation of Iraq separately under cover of a letter from the Executive Chairman of the Special Commission and for the nuclear part under cover of a letter from the Leader of IAEA resolution 687 (1991) Action Team. The head of the delegation of Iraq undertook that Iraq would make every endeavour to provide satisfactory answers to those issues at a further session of the high-level technical talks, possibly to be held in Baghdad in the first week of October 1993.

3. It was understood that, when Iraq addressed the issues in a satisfactory manner and information provided by it was independently verified where necessary, the Special Commission and IAEA would be in a position to conclude that Iraq had completed the actions necessary to bring it into compliance with paragraphs 8, 9, 11, 12 and 13 of resolution 687 (1991).

Chemical weapons-related issues

4. The working group dealing with chemical weapons held nine meetings and one joint meeting with the biological group. The chemical weapons group had an intensive discussion of issues based on information previously provided by Iraq pursuant to resolutions 687 (1991) and 715 (1991) and from other sources available to the Special Commission. As a result, some of the issues were resolved.

5. Other critical issues related to past programmes remain for further work and have been communicated to the Government of Iraq (see para. 2 above):

(*a*) Production of chemical warfare agents;

(*b*) Precursor chemicals;

(*c*) Specific critical equipment suppliers;

(*d*) Weaponization of produced agents;

(*e*) Suppliers of unfilled munitions;

(*f*) Chemical weapons facilities.

With regard to point (*f*), the Iraqi side reaffirmed the non-existence of any other undeclared chemical weapons facilities.

6. On yet other questions, such as making available personnel for further discussion on the above issues, the representatives of Iraq agreed to respond positively in Baghdad.

7. The Commission representatives explained that, with regard to some of the critical issues referred to above, information in the possession of the Commission, including documentary evidence, was at variance with that provided so far by the representatives of Iraq, namely (*a*) the availability of precursors and their production and handling facilities, (*b*) relations with other countries in the offensive chemical weapons programme, and (*c*) the time at which the offensive chemical weapons programme was initiated. The Iraqi side reaffirms the credibility of the information given previously. However, it will study the contradictions raised by the Commission, when provided in documentary evidence form, and will provide explanations during the resumed talks.

Biological weapons-related issues

8. The working group dealing with biological weapons-related issues conducted a thorough review of all outstanding issues in the course of six meetings and one joint meeting with the chemical weapons-related group. The Commission representatives received a full account of the genesis, evolution and termination of the programme of research at the Section for Biological Research for Military Defence Purposes at the Technical Research Centre at Salman Pak. The critical issues on which further information from the Iraqi side was required were identified as the present location of inhalation chambers and aerosol generators not yet identified by the Commission but which are known to have been imported into Iraq. In addition, information is required by type, quantity, year since 1985, supplier and user of imports of toxins, micro-organisms in risk groups II-IV and complex media for the growth of these organisms.

9. The Commission is concerned about the extent of Iraq's biological weapons-related activities and, in particular, the possibility of such activities being conducted at facilities other than the Section for Biological Research for Military Defence Purposes. The Iraqi side strongly reaffirmed the non-existence at any stage of a biological weapons programme. Iraq also reaffirmed that the activities undertaken at the Section for Biological Research for Military Defence Purposes were as previously defined to the Commission, i.e. biological military defence research and development.

10. Iraq expressed concern at the general nature of certain of the prohibitions contained in the plans for ongoing monitoring and verification, in particular with regard to those contained in paragraphs 38 (*c*) and (*d*) of document S/22871/Rev.1 concerning the conduct of activities on diseases other than those indigenous to Iraq or immediately expected to break out in its environment and concerning the breeding of vectors of human, animal and plant diseases. The Commission assured the Iraqi side that those concerns would be met by a routine and expeditious processing of all allowable requests from Iraq for exceptions to the general prohibitions contained in the plan.

Missile issues

11. The missile working group had eight meetings. It addressed the issues related to the plan for ongoing monitoring and verification and Iraq's prohibited missile programmes.

12. The discussion on missile programmes was focused on remaining issues, primarily related to Iraq's efforts to produce Al-Hussein missiles and solid propulsion missiles. The information provided by the Iraqi experts, either voluntarily or in response to direct questioning, coincided with the information available to the Commission. The Iraqi side reiterated its position that it was not able to provide documentary evidence to support information given to the Commission. As a result of the meetings, a few issues still remain unresolved:

(*a*) Information on specific foreign suppliers;

(*b*) Equipment delivered or ordered for the project No. 1728;

(*c*) The extent of possible foreign assistance in the project No. B2000.

Specific ways to address those unresolved issues were outlined.

13. The Iraqi experts expressed some concerns over the provisions of the plan for ongoing monitoring and verification, primarily related to declarations and inspections of military sites. Specific modalities for implementation of relevant provisions of the plan were identified. They deal with declarations, establishment of baseline data and inspections. The Commission experts presented an integrated concept of the practical implementation of the ongoing monitoring and verification in the missile area. Categories of facilities to be monitored, their numbers, frequency of inspections and other modalities for implementation were jointly examined.

Nuclear issues

14. IAEA is confident that the major elements of Iraq's nuclear weapons programme are understood and have been dismantled. The remaining issues for compliance with paragraphs 11, 12 and 13 of resolution 687 (1991) relate primarily to procurement.

15. A clear understanding of Iraqi procurements and the sources of technical advice for the nuclear programme has been a primary inspection objective since the beginning of inspections in Iraq under resolution 687 (1991). During IAEA-18, following a course well established through previous inspections, a broad range of questions dealing with Iraqi procurements were put to the Iraqi side. The Iraqi side's often stated response was that, with the destruction of records during and following the Gulf War, it had no way to deal with such a general request and, in addition, it believed that most of the requested information was already in the hands of IAEA. It is true that, through inspection data collected in Iraq, investigations undertaken by Governments of Member States and interviews with personnel of specific companies, most of the manufacturers that, knowingly or unknowingly, supplied the Iraqi nuclear programme have been identified. Further, many of the front organizations and purchasing agents are also known.

16. Important remaining questions have been put to the Iraqi side a number of times. Since December 1992 these questions have been put forward in the context of an offer from the Chairman of the Iraqi Atomic Energy Commission (IAEC) to deal positively with specific questions. These questions are restated below:

(*a*) What are the identities of the individuals and/or companies from outside Iraq who supplied technical and design information for the Iraqi magnetic centrifuge?

(*b*) Who were the manufacturers, suppliers, agents and shippers for the 350-grade maraging steel? Please distinguish between the sources of the maraging steel used in the manufacture of centrifuge components outside Iraq and the stock of maraging steel presented inside Iraq. [The Iraqi side expressed concern that, while it can identify the supplier, it has no knowledge of who manufactured the maraging steel.]

(*c*) Who supplied the carbon fibre rotor tubes and how were technical specifications communicated to the manufacturer?

(*d*) Describe the activities undertaken by the H & H Company with respect to the Iraqi centrifuge enrichment programme.

(*e*) Identify the manufacturer and describe the procurement procedure for the HMX explosive declared by Iraq to have been intended for conventional armaments.

17. A number of questions have been dealt with in the course of the high-level technical talks in New York, between 31 August and 9 September 1993. It was agreed that two specific questions regarding the nuclear material will be dealt with during IAEA-22, planned for early November 1993.

ANNEX II

A. Ongoing monitoring and verification by the Special Commission

1. During the plenary sessions of the high-level technical talks, the Executive Chairman of the Special Commission explained that the departure point was the position papers by Iraq and the Commission set out in document S/26127. Starting from Iraq's undertaking in paragraph 1 of its paper that it was "ready to comply with the provisions of the plans of ongoing monitoring and verification as contained in resolution 715 (1991)", and the Commission's undertakings in paragraphs 2 to 5 of its position paper, the two sides should clarify and flesh out those undertakings with a view to the creation of circumstances in which ongoing monitoring and verification could be initiated in a harmonious and cooperative manner.

2. The head of the Iraqi delegation and the Iraqi participants in the working groups gave a comprehensive and clear account of the concerns of Iraq in relation to ongoing monitoring and verification, in particular in the context of the security, sovereignty and independence of Iraq. Those concerns related both to the general provisions in the plans by the Commission and IAEA and in the annexes to those plans.

3. The Iraqi side stressed the need for the monitoring to be carried out in a non-intrusive manner and in accordance with the rules and methods adopted in relevant international agreements already in force, on the understanding that those agreements took over the functions of the plan as stated in paragraph 25 of document S/22614 approved by Security Council resolution 699 (1991). The delegation also stressed the importance it attached to the Commission and IAEA moving rapidly to the use of Iraqi air support, both fixed- and rotary-wing, for their operations in Iraq and also the employment

of other Iraqi assets, with the participation of qualified Iraqi staff, for example in the development of photography and analysis of samples. Iraq could agree to the use of sensors both on the ground and in the air for monitoring purposes, but maintained its objection to the use of video cameras in aerial surveillance. Iraq also required that appropriate measures be established for continuous and close coordination, particularly with the Commission's facilities in Iraq. Where challenge inspections of newly designated sites were undertaken and where it was determined that no need had been established to add the sites to the list of facilities to be monitored, all records of the inspections and material gathered in their course should be destroyed.

4. The Executive Chairman stressed that it was the intention to implement the plans in the least intrusive manner consistent with effective monitoring and verification in the circumstances prevailing and with all due regard to the legitimate concerns of Iraq regarding its sovereignty, security, dignity and independence. As the Commission had indicated in Baghdad during the July meetings, it was the intention that the plans should be carried out in the same spirit as relevant international agreements in the field of arms control and disarmament. In the course of discussions, he recalled paragraph 25 of the report of the Secretary-General on the plan for the implementation of relevant parts of section C of resolution 687 (1991) [*S/22614*]. That paragraph foresaw that, at an appropriate time, and after the entry into force of a Convention on the Prohibition of Chemical Weapons, the inspectorate envisaged in it might take over the function of monitoring and verification of compliance in the area of chemical weapons. This could now be seen as a long-term objective, the Council having decided in its resolution 715 (1991) that the Commission should continue as the body responsible for the implementation of the Secretary-General's plan for ongoing monitoring and verification.

5. During the working group meetings and the discussions between the Executive Chairman and the head of the Iraqi delegation, it was explained by the Commission that the implementation of the plans would be carried out in three stages. During the first stage, a monitoring and verification baseline would be established. This baseline would be constructed primarily upon the declarations made by Iraq. To the extent those declarations were found to be deficient, they would be complemented by the Commission through the addition of sites already designated or the designation of new sites. Such new designations would be made by the Chairman, as was the case under resolution 687 (1991). A finite number of facilities would be identified for each of the categories. Where inspections of a newly designated site did not establish any basis for adding that site to the list of facilities to be monitored, the Commission could not agree to the destruction of records of that inspection but would be prepared to seal records retained and to store them in an agreed place, from which they could be made available to the Commission should the Executive Chairman decide that a need had arisen to consult them again.

6. As an illustration, three types of sites for monitoring were mentioned:

(*a*) Core-sites (not applicable in the chemical or biological areas), where permitted but weapons-related activities were taking place, for example, sites already subject to interim monitoring.

(*b*) Sites earlier involved in the production of prohibited items (some destroyed).

(*c*) Dual-use sites.

7. Sites would be subject to an initial baseline inspection for the purpose of establishing a description of the facility and of obtaining information necessary for the planning and conduct of future monitoring inspections. Such inspections would entail a full survey of the site concerned and technical interviews with personnel for purposes restricted to the implementation of the plan. On this basis, some facilities would not be included in further regular monitoring activities (although further visits could not be excluded). The aim would be to focus monitoring and verification activities, on the basis of the findings of the survey, on as few critical points as possible consistent with effective monitoring. When baseline data had been established for a facility, a programme for ongoing monitoring or inspection would be decided upon by the Commission (normally comprising one, two or three visits per year). A copy of the "facility attachment" (inspection handbook for the facility), prepared as a result of the baseline inspection, would be provided to the Government of Iraq.

8. The second stage would consist of inspection visits carried out for the purpose of building confidence, verifying that activities conducted were consistent with the information contained in Iraq's declarations and notifications, confirming data from the baseline inspection, identifying significant modifications or changes in the facilities and activities at the facility and making any necessary changes to the facility attachment. The inspection visits would be conducted as non-intrusive and cooperative monitoring activities, while maintaining the effectiveness of the monitoring regime. Upon completion of a routine inspection, one or more meetings would normally be held with the Iraq counterparts in which the Chief Inspector would present and explain the conclusions reached during the inspection. The Iraqi counterparts could present their written observations on those conclusions which would, if the counterparts so requested, be annexed to the inspection report. A copy of the inspection report, after submission to the Executive Chairman, would be provided to the Government of Iraq.

9. Inspectors would be employed on as wide a geographical basis as possible within the limitations of the particular expertise required for the area concerned. For example, in the chemical and biological area, increasing use would be made of experts drawn from civilian industry. All inspectors would be required to sign undertakings regarding confidentiality and non-disclosure of information obtained in the course of their official duties. These undertakings are the same as those which have been required from United Nations and IAEA staff and experts since the establishment of the Organizations. The undertakings continue to be binding after the person concerned has ended his or her employment with the United Nations or IAEA and are of indefinite duration.

10. It was explained that, when confidence was established, the ongoing monitoring and verification would enter into the third phase, which could lead to possible reduction of sites to be monitored and modification of the general provisions and of the annexes to the plans in the direction of existing relevant international agreements (see para. 4 above).

11. It was explained to the Iraqi side that consideration of the number of facilities to be subject to monitoring was dependent on Iraq's declarations and the assessments of the Commission. With regard to the chemical facilities, the Commission, on the basis of the data now available to it, considered that around two dozen facilities were a possibility. In the missile area, core sites and dual-use sites might add up to around a dozen. In the biological area, 6 to 10 sites might be considered for regular monitoring. Additional laboratories and research facilities conducting activities listed in paragraph 38 of the plan [*S/22871/Rev.1*] might require less frequent, and mainly information-exchange, visits. Inspections of such sites would be supplemented by occasional "spot check" inspections of other sites to ensure the completeness of the lists of sites subject to monitoring in accordance with the criteria for monitoring laid down in the plans. It was difficult at the present stage to assess the number of storage sites subject to visits, not monitoring. Such visits would, in any event, be infrequent.

12. Iraq reaffirmed its request for use of local means for aerial surveillance and technical support. However, the Executive Chairman indicated that the Commission must continue to make use of its own aerial capability for logistical and technical support purposes and for surveillance purposes. However, the latter would be with diminishing frequency as confidence-building measures bore fruit and as baseline surveys were completed. The designation of sites for aerial surveillance would continue, as at present, to be made by the Chairman and all flights would be tasked from the Office of the Executive Chairman. The use of local logistical and technical aerial and other support would be dependent upon the prevailing situation of confidence and the availability of adequate assets. The Commission was prepared to undertake a full survey of those assets to determine their technical adequacy and to enter into early discussions with the relevant Iraqi authorities for use, on a trial basis, of Iraqi helicopters for transportation from Baghdad to the Muthanna State Establishment. Those discussions, in the light of the experience gained, could be extended early in 1994 to the use of Iraqi aerial assets for other purposes.

13. The acceptance of the use of sensors for monitoring purposes by the Iraqi side was welcomed, but the Commission continued to reserve its right to use all means it considered necessary to accomplish its tasks, including the use of video cameras in aerial surveillance for the purposes explained to the Iraqi side in the working group on operational questions.

14. The Executive Chairman expressed the belief that the monitoring activities could start as soon as Iraq no longer objected to the implementation of the plans. Under the best possible circumstances, the first baseline inspections could begin shortly after 1 December 1993. Baseline and confidence-building phases were not necessarily completely sequential. The confidence-building stage could be phased in as soon as the first baseline inspections were concluded. The determination of when the implementation

of the plans under resolution 715 (1991) had proceeded to the point where it could be said that monitoring and verification was up and running would depend upon the assessment of a number of inspection visits, although all baseline inspections need not necessarily have been carried out. A six-month period after the initiation of the first baseline inspection might be realistic.

15. The above paragraphs are intended as guidelines for the implementation of the plan for ongoing monitoring and verification. They will be reviewed regularly, taking into account the experience gained in the implementation of the plan and development of cooperation and confidence.

B. Ongoing monitoring and verification by IAEA

16. The sites that will be inspected by the nuclear team under the ongoing monitoring and verification programme are described in four categories as follows:

(*a*) Sites with a previous nuclear or nuclear-related mission (8 sites are identified).

(*b*) Sites that provided support to the previous nuclear programme (11 sites are identified).

(*c*) Sites that have capabilities useful to a reconstituted nuclear programme (four sites are identified in addition to those referred to in para. 17 below).

(*d*) Sites, unidentified at this point, that may be designated for inspection as a result of new information (inspection results or third-party information).

Additional sites from declarations made by the Iraqi side are to be added to categories (*b*) or (*c*) as appropriate. Sites may be added to categories (*a*), (*b*) or (*c*) as a result of inspection findings throughout the course of the ongoing monitoring and verification programme.

17. Laboratories and research facilities that have capabilities potentially useful in reconstituting the nuclear weapons programme are not explicitly counted in the list of sites contained in category (*c*). They will be dealt with on an ad hoc, case-by-case basis to conduct the inspections in as non-intrusive a manner as possible.

18. Inspections at sites in category (*a*) will be routine. Inspections at sites in categories (*b*) and (*c*) will be a combination of announced and no-notice inspections. The situation involving inspections in category (*d*) is more complex. IAEA has the right under resolutions 687 (1991), 707 (1991) and 715 (1991) to conduct no-notice inspections. This right is fundamental to the Agency's mandate to ensure no reconstitution of Iraq's nuclear-weapon capability. The Agency will exercise this right when it assesses the information to be credible and when the indicated nuclear weapons capability can be readily concealed or destroyed. The Agency will provide notice when the indicated activity at a new site is not of a time-sensitive nature. In the case that an inspection results in negative findings, the information, photographs and samples will be maintained in a confidential file and reviewed periodically for destruction.

19. Iraq is developing and plans to implement an accountancy system showing status, current location and utilization for all items listed in the declaration required under annex 3 of document S/22872/Rev.1. This accountancy system will provide the basis for a current declaration regarding those items at quarterly intervals. A facility attachment, describing detailed inspection protocols, will be developed for each of the sites in categories (*a*) to (*c*).

20. Technical means such as environmental samples (water, air vegetation, smears, etc.), gamma detectors, surveillance cameras and possibly others will be utilized in all types of inspections. A water-sampling regime, including sediments and biota, has already been established and is fully operational. Smear and vegetation samples will be collected as in the past but with much reduced frequency. No protocol has yet been established with respect to air sampling. Duplicate samples will be provided to the Iraqi side, at their request.

21. The protocol involving the use of surveillance cameras will be in accordance with nuclear material safeguards applications. The protocol for other technical means in the nuclear field has yet to be developed. All technical means will be applied in a cost effective way and Iraqi technical expertise will be utilized where possible.

22. Information resulting from the inspections will be carefully controlled to ensure that the information is not used for any purpose other than serving IAEA's mandate under resolutions 687 (1991), 707 (1991) and 715 (1991). IAEA reserves the right to produce and distribute inspection reports and summaries as directed by the Security Council. The Agency encourages Iraq to share its own daily inspection reports, which will be appended to IAEA's daily inspection report and to comment independently on IAEA reports and official statements.

ANNEX III

Reports by the Special Commission and IAEA under paragraph 22 of resolution 687 (1991)

1. During the high-level technical talks, the head of the delegation of Iraq explained that his Government wished to resolve immediately all matters considered by the Special Commission and IAEA to be outstanding relating to the implementation of paragraphs 8, 9, 11, 12 and 13 of resolution 687 (1991), so that the Commission and IAEA could so report to the Security Council under paragraph 22 of that resolution. At the same time, agreement should be reached with the Commission and IAEA, taking into account the concerns of Iraq, on the implementation of the plans for ongoing monitoring and verification, prepared pursuant to the requirements of paragraphs 10 and 13 of resolution 687 (1991). This would permit reporting of Iraqi compliance to the Council under paragraph 22 of resolution 687 (1991), so that, simultaneously with that reporting, the plans for ongoing monitoring and verification would be put into effect. There should be no overlapping of operations under section C of resolution 687 (1991) and under the plans for ongoing monitoring and verification approved by resolution 715 (1991). Furthermore, the Iraqi position is that there should be no further action under the plans for ongoing monitoring and verification until paragraph 22 is activated.

2. The Executive Chairman noted that, on several occasions, most recently during his visit to Baghdad in July 1993, he had indicated that the Commission "would be prepared to give an undertaking that it will report to the Security Council, under paragraph 22 of resolution 687 (1991), when it is satisfied that Iraq is in compliance with its obligations under paragraph 8, 9, 10, 11, 12 and 13 of that resolution" [*S/26127, annex, para. 11 B, para. 7*]. In the course of the high-level technical talks, the Iraqi delegation was provided with a further elaboration of the requirements for a report by the Commission to the Council. In the nuclear area, similar requirements would apply to a report by the Director-General of IAEA.

3. In reporting to the Council, the Commission and IAEA would be discharging their respective responsibilities to keep the Council informed of the stage reached in the implementation of the Council's resolutions, so as to provide it with an adequate basis for a determination that Iraq had completed all actions contemplated under the paragraphs of resolution 687 (1991) mentioned above. That determination would have to be made by the Council and would not be made without favourable final reports from the Commission and the Director General of IAEA. Furthermore, those final reports could be submitted only when the Commission and IAEA were satisfied that Iraq was in compliance, which included the requirement that the plans for ongoing monitoring and verification were up and running in a satisfactory manner.

4. In order to make the necessary reports, the Commission and IAEA would need to be satisfied that Iraq had provided all the necessary information on outstanding issues in relation to its prohibited programmes to constitute a full, final and complete disclosure, as called for in resolutions 687 (1991), 707 (1991) and 715 (1991), of all programmes to develop prohibited weapons and of all holdings of such weapons, their components, production, research and development facilities and locations. Critical data on foreign suppliers and on past production activities had to be given by Iraq. The high-level technical talks had provided the opportunity to define with greater precision what information the Commission and IAEA required in respect of the programmes concerned. When all initial information was furnished, it would be assessed by the Commission and IAEA and, to the extent necessary, verified by independent inspection by the means deemed appropriate by the Commission and IAEA.

5. Given the fulfilment of Iraq's obligation to provide the information required on outstanding issues referred to in annex I, the Commission and IAEA intend to complete the identification phase of their work, under resolution 687 (1991), very probably before the end of December 1993. However, this would require Iraq to accept and facilitate imminent forthcoming inspection activities.

6. If the foregoing conditions were met, it was further explained that, shortly after December 1993, probably within about two months, if operations now under way proceeded according to plan, the destruction of Iraq's identified chemical weapons and precursors would have been completed and the irradiated uranium fuel now stored at Tuwaitha and Location B would have been removed from Iraq. The Special Commission and IAEA would, in the same time period, also take all necessary decisions concerning the release of items connected with prohibited programmes on which such decisions had been reserved.

7. There would then remain the initiation of the ongoing monitoring and verification required under paragraphs 10 and 13 of resolution 687 (1991), as elaborated upon in resolution 715 (1991) and in the plans approved thereunder, and the smooth functioning of such monitoring and verification. The Iraqi delegation was informed that, with the necessary cooperation, this should prove possible within a period of six months after receipt from Iraq of comprehensive declarations regarding all facilities that fell under the provisions of the plans.

8. The Executive Chairman considered that the high-level technical talks had indicated the possibility that, the necessary political will being demonstrated by the Government of Iraq, the foregoing conditions could be met.

9. The Commission must be accorded facilities it has repeatedly called for but been denied, particularly in the matter of use of Rasheed airfield by the Commission's fixed-wing aircraft and the conduct of aerial surveillance by both rotary- and fixed-wing aircraft pursuant to the relevant resolutions of the Council. For its part, the Iraqi side stated that it would extend its cooperation in the use of its own aircraft for transportation of Commission and IAEA personnel and equipment to Iraq, or when commercial air services are resumed. The Commission has asked the head of the delegation of Iraq to convey to his Government the Commission's requirement for the immediate activation of the cameras at Yawm Al-Azim and Al-Rafah. The head of the delegation will reply upon his return to Baghdad.

DOCUMENT S/26452[*]

Letter dated 16 September 1993 from the representative of Moldova to the Secretary-General

[*Original: English*]
[*16 September 1993*]

I have the honour to transmit to you herewith the statement of 14 September 1993 of the Ministry for Foreign Affairs of the Republic of Moldova on the illegal activities of General Lebed, the Commander of the 14th Russian Army, deployed in the eastern part of my country.

I should be grateful if you would have the attached statement circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Tudor PANTIRU
Permanent Representative
of the Republic of Moldova
to the United Nations

TEXT OF THE STATEMENT

Recently, in "partial elections" to the "Supreme Soviet" of the "Dniester Moldovan Republic", the self-styled republic, General Alexander Lebed, the Commander of the 14th Russian Army, submitted his candidature for a vote and was elected as a member of the so-called "Parliament". Acting in this way, General Lebed demonstrated once again his well-known lack of good faith and total neglect of the provisions contained in the agreements between Presidents M. Snegur and B. Yeltsin.

The Ministry for Foreign Affairs of the Republic of Moldova states that the decision of a foreign citizen, commander of a foreign army temporarily located on the territory of the Republic of Moldova, to take part in the "elections" to the anti-constitutional bodies of the so-called "Dniester Republic" represents nothing else than a brutal and unspeakable interference in the internal affairs of a sovereign State - the Republic of Moldova.

This action is considered by the Government of the Republic of Moldova as a new attempt by certain forces in Russia for a de facto recognition of the pseudo "Dniester Republic", as well as a clear signal of the unwillingness of the Russian side to withdraw its military units from the territory of the Republic of Moldova.

The Ministry for Foreign Affairs of the Republic of Moldova expresses once again its regret and concern over the fact that it is not aware of any action and it has not received any response to the numerous statements and protest notes regarding the illegal actions of General Lebed, and it hopes that this time the Government of the Russian Federation will take all appropriate measures in order to stop these provocative actions which could aggravate the situation in the eastern districts of the Republic of Moldova as well as the good relations between the two countries.

DOCUMENT S/26456

Note by the Secretary-General

[*Original: English*]
[*17 September 1993*]

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication of 16 September 1993, which he has received from the Director General of the International Atomic Energy Agency.

LETTER DATED 16 SEPTEMBER 1993 FROM THE DIRECTOR-GENERAL OF THE INTERNATIONAL ATOMIC ENERGY AGENCY TO THE SECRETARY-GENERAL

As you will recall, on 11 May 1993 the Security Council adopted resolution 825 (1993), in which the Council, *inter alia*, called upon the Democratic People's Republic of Korea "to comply with its safeguards agreement with the Agency as specified by the Agency's Board of Governors' resolution GOV/2636 of 25 February 1993" and requested the Director-General of the IAEA "to continue to consult with the Democratic People's Republic of Korea with a view to resolving the issues which are the subject of the Board of Governors' findings and to report to the Security Council on his efforts in due time".

Pursuant to that request, I attach a report which describes developments to date. I should be grateful if it could be circulated as a document of the Security Council.

An identical report is being submitted simultaneously to the Agency's Board of Governors pursuant to its request to the Director General, at its June meeting, that the Board be kept informed of all significant new developments relating to contacts and consultations with the Democratic People's Republic of Korea.

(*Signed*) Hans BLIX
Director-General

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[*] Circulated under the double symbol A/48/404-S/26452.

ANNEX

Report dated 16 September 1993 by the Director-General of the International Atomic Energy Agency on the implementation of the Agreement between the Government of the Democratic People's Republic of Korea and the Agency for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons

GENERAL BACKGROUND

1. The Agreement between the Democratic People's Republic of Korea and the International Atomic Energy Agency (IAEA) for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons [22] [*see S/25556, annex*] entered into force on 10 April 1992.

2. Pursuant to article 62 of the Agreement, the Democratic People's Republic of Korea submitted on 4 May 1992 an initial report on nuclear material subject to safeguards under the Agreement. Pursuant to article 71 (*a*), ad hoc inspections were begun in May 1992 to verify the correctness of the information contained in the initial report and to assess its completeness.

3. On the basis of verification activities carried out over a period of many months, and taking into account the consultations held with the Democratic People's Republic of Korea at both Vienna and Pyongyang, the secretariat concluded that, because of the significant inconsistencies between the Democratic People's Republic of Korea's declarations and the secretariat's findings, the secretariat was not able to confirm the correctness and completeness of the Democratic People's Republic of Korea's initial report on the inventory of nuclear material in the Democratic People's Republic of Korea.

4. Pursuant to articles 73 (*b*) and 77 of the safeguards agreement, the Director-General, on 9 February 1993, requested that the Democratic People's Republic of Korea provide access to specific additional information and to two locations where the Agency had reason to believe there existed nuclear waste which might be of safeguards relevance. In response to that request, the Government of the Democratic People's Republic of Korea agreed to continue discussions about inconsistencies and data relevance, but declined to grant the Agency access to the additional sites.

5. The Director-General reported the matter to the Board of Governors, which by its resolutions GOV/2636 and GOV/2639 adopted on 25 February and on 18 March 1993, respectively [*ibid.*], *inter alia*, called upon the Government of the Democratic People's Republic of Korea urgently to extend full cooperation to IAEA to enable the Agency fully to discharge its responsibilities under the safeguards agreement and to respond positively and without delay to the Director-General's request of 9 February 1993 for access to additional information and two additional sites. The Board of Governors decided that access to the additional information and sites was essential and urgent in order to resolve differences and to ensure verification of compliance with the agreement. The Board also requested the Director-General to continue dialogue with the Democratic People's Republic of Korea with a view towards urgent resolution of the issues.

6. On 12 March 1993, the Agency received a statement by the Government of the Democratic People's Republic of Korea declaring its decision to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as a measure to defend its supreme interests.

7. On 30 March 1993, the Director-General reported to the Board of Governors on the implementation of the Safeguards Agreement between the Democratic People's Republic of Korea and the Agency. On 1 April, the Board adopted resolution GOV/2645 [*ibid.*], by which it, *inter alia*, found the Democratic People's Republic of Korea in non-compliance with its obligations under its safeguards agreement with the Agency and decided, as required by article XII.C of the statute of the Agency and in accordance with article 19 of the Agreement, to report the Democratic People's Republic of Korea's non-compliance and the Agency's inability to verify non-diversion of nuclear material required to be safeguarded, to all members of the Agency and to the Security Council and General Assembly of the United Nations. Furthermore, the Board requested the Director-General "to continue his efforts and dialogue to implement fully the Agreement and to keep the Board informed of any significant developments".

EFFORTS OF THE DIRECTOR-GENERAL FOR THE IMPLEMENTATION OF THE SAFEGUARDS AGREEMENT WITH THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA AND CONSULTATIONS WITH THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

8. In a telex to the Minister of Atomic Energy of the Democratic People's Republic of Korea, Mr. Choi, on 1 April 1993, the Director-General forwarded the Board's resolution of 1 April 1993 to the Democratic People's Republic of Korea. He indicated the secretariat's readiness "to send an inspection team at an early date" to the Democratic People's Republic of Korea and its willingness "at all times to resume consultation and dialogue with a view to the full implementation of the Safeguards Agreement". He also acknowledged the receipt of a telex dated 30 March 1993 from the Minister of Atomic Energy of the Democratic People's Republic of Korea, in which the Minister expressed "the readiness of the Democratic People's Republic of Korea to consult with the Agency's secretariat on the implementation of the Safeguards Agreement".

9. In a statement issued on 5 April 1993 (reproduced as GOV/INF/690), the Foreign Ministry of the Democratic People's Republic of Korea, *inter alia*, underlined that the Democratic People's Republic of Korea has "never rejected ad hoc inspection under the Agreement" and stated the stand of the Democratic People's Republic of Korea "to fulfil our (the Democratic People's Republic of Korea) obligations under the safeguards agreement to the end and solve the problems arising in this by means of negotiation". Similarly, in a statement issued on 8 April 1993 (reproduced as GOV/INF/691), the Minister of Atomic Energy of the Democratic People's Republic of Korea confirmed, *inter alia*, that "we (the Democratic People's Republic of Korea), proceeding from the stand of discharging our obligations under the safeguards agreement for three months, proposed on 30 March, in explicit terms, negotiations with IAEA".

10. In a meeting with the Resident Representative of the Democratic People's Republic of Korea to IAEA held at Vienna on 8 April, the Director General reiterated the secretariat's readiness to send an inspection team to the Democratic People's Republic of Korea to continue implementation of the safeguards agreement, and to resume consultations and dialogue. Furthermore, the Democratic People's Republic of Korea was requested to reconsider its position regarding special inspections and was advised that the Agency was prepared to consider arrangements designed to protect any military aspects of the two sites specified in the Director General's request to the Democratic People's Republic of Korea of 9 February 1993 so as to take account of the Democratic People's Republic of Korea's security concerns.

11. In the absence of a response from the Democratic People's Republic of Korea, the Director General sent a telex to Mr. Choi, on 16 April 1993, seeking clarification by the Democratic People's Republic of Korea as to whether it was ready to receive an inspection team, conduct consultations or both. The Director General also indicated that certain safeguards equipment presently installed in facilities in the Democratic People's Republic of Korea was in need of maintenance and replacement.

12. The Minister for Atomic Energy of the Democratic People's Republic of Korea telexed his reply on 22 April 1993, confirming his rejection of the demand for special inspection and urging the Agency "once more to conduct the consultation on the implementation of the Safeguards Agreement". He also stated that the Democratic People's Republic of Korea has never rejected visits for maintenance and replacement of safeguards equipment.

13. On the same day the Agency replied, reaffirming IAEA's request for special inspection and stating that the secretariat would welcome "consultation in Vienna with a consultation team from the Democratic People's Republic of Korea". In order not to lose the continued validity of safeguards information and without prejudice to the consultation on the broad issue of safeguards implementation, the Director General suggested that the Democratic People's Republic of Korea accept an Agency inspection team which would perform urgent activities relating to the maintenance and replacement of safeguards equipment and observe the refuelling of the 5 MW(e) experimental reactor that, based on previous understanding, was expected to begin during the last week of April.

14. On 28 April 1993, the Agency received a telex from the Minister of Atomic Energy of the Democratic People's Republic of Korea which reiterated that the Democratic People's Republic of Korea's rejection of the Agency's request for special inspection remained unchanged and that the Democratic People's Republic of Korea would send a consultation team to

Vienna. The Democratic People's Republic of Korea agreed to accept an Agency inspection team for the maintenance and replacement of safeguards equipment but noted that "some problems including refuelling will be discussed during the forthcoming consultation". The Director General replied on the same day that the Agency was ready to receive a team for consultation in Vienna, asked about its composition and transmitted a list of the proposed IAEA inspection team to the Democratic People's Republic of Korea.

15. In a 1 May 1993 telex to the Agency, the Minister for Atomic Energy of the Democratic People's Republic of Korea stated that a draft resolution being circulated in the Security Council regarding the Democratic People's Republic of Korea's nuclear issue would be a "great obstacle" to consultations between IAEA and the Democratic People's Republic of Korea. He also stated that "the refuelling at the 5 MW(e) experimental nuclear power plant is still at the stage of technical and practical preparation for it and therefore the refuelling will not take place soon". The secretariat responded on the same day, confirming the Agency's willingness to accept a consultation team from the Democratic People's Republic of Korea at any time and requesting that an inspection team proceed to the Democratic People's Republic of Korea to perform the necessary maintenance work.

16. On 4 May 1993 Mr. Choi telexed the Agency, accepting the proposed inspection team and reiterating his country's concern about the draft resolution circulating in the Security Council "at the time when we (the Democratic People's Republic of Korea) are going to send our consultation team to Vienna".

17. The seventh IAEA inspection team visited the Democratic People's Republic of Korea between 10 and 14 May 1993, during which time it performed the necessary work relating to containment, surveillance and maintenance activities at the 5 MW(e) reactor and at the radiochemical laboratory.

18. On 11 May 1993, the Security Council adopted resolution 825 (1993) by which it, *inter alia*, called upon the Democratic People's Republic of Korea "to comply with its Safeguards Agreement with IAEA as specified by the Agency Board of Governors' resolution GOV/2636 of 25 February 1993". The Security Council requested the Director-General of the Agency "to continue to consult with the Democratic People's Republic of Korea with a view to resolving the issues which are the subject of the Board of Governors' findings and to report to the Security Council on his efforts in due time". It also urged all Member States to encourage the Democratic People's Republic of Korea to respond positively to that resolution and encouraged them to facilitate a solution.

19. On 13 May 1993, the Director General sent a telex to Mr. Choi reaffirming the Agency's readiness to receive a consultation team from the Democratic People's Republic of Korea, asking about the composition of such a team and when it could be expected to arrive in Vienna.

20. On 17 May 1993 Mr. Choi telexed the Director General expressing his regret that the Security Council resolution of 11 May had been adopted and that the resolution was an "interference in the Democratic People's Republic of Korea's internal affairs and a grave encroachment on our (the Democratic People's Republic of Korea) national sovereignty". He further stated that the resolution was an obstacle to IAEA-Democratic People's Republic of Korea consultations and that "good results cannot be obtained even if the consultation will take place". He urged the Director General to "remove the obstacle" and "create a good atmosphere" for the consultation which should take place at "an early date".

21. In a further effort to try to set concrete dates for the consultations, the Director General requested meetings with the Resident Representative of the Democratic People's Republic of Korea to IAEA at Vienna. In the course of two such meetings, held on 24 May and 7 June 1993, respectively, the Ambassador of the Democratic People's Republic of Korea stated that his country's position remained unchanged in relation to the request for special inspection and that the Agency should create a "favourable climate" for consultations. The Director General said that the Agency had been, and remained, ready to receive a delegation from the Democratic People's Republic of Korea for consultations at any time.

22. On 11 June 1993, during the scheduled meeting of the Board of Governors, the Director-General informed the Board of his efforts to implement the Safeguards Agreement with the Democratic People's Republic of Korea and noted that "the secretariat is naturally ready, at any time, to resume consultation with the Democratic People's Republic of Korea with a view to resolving the outstanding issues and to continue safeguards".

23. The Board of Governors took note of the Director General's report and, *inter alia*, expressed its satisfaction with the efforts he had made to bring about a resumption of dialogue as well as full cooperation between the Democratic People's Republic of Korea and the Agency in relation to the Safeguards Agreement. The Board further requested the Director General to intensify his efforts and to hold consultations with the Democratic People's Republic of Korea as soon as possible with a view to ensuring the continued application of safeguards in the Democratic People's Republic of Korea and to keep the Board informed of all significant new developments relating to contacts and consultations with the Democratic People's Republic of Korea.

24. On 11 June 1993, the Director General sent a telex to Mr. Choi referring to the Board's request and asked for an indication of whether the Democratic People's Republic of Korea was "now in a position to send a consultation team to Vienna" and, if so, what would be the composition of the team and the expected date of arrival.

25. In a further telex, sent to Mr. Choi on 16 June 1993, the Director-General noted the Democratic People's Republic of Korea's decision of 11 June "unilaterally to suspend, as long as it considers it necessary, the effectuation of its withdrawal" from the Treaty on the Non-Proliferation of Nuclear Weapons and concluded that, pursuant to article 26 of the Safeguards Agreement between IAEA and the Democratic People's Republic of Korea, "the Safeguards Agreement continues to apply". He restated the secretariat's willingness to resume consultations with the Democratic People's Republic of Korea at any time and again inquired as to the composition and arrival dates of a consultation team.

26. On 25 June 1993 the Deputy Director General for Safeguards informed the Government of the Democratic People's Republic of Korea of the Agency's intention to send, in accordance with the safeguards agreement, an inspection team to perform routine and ad hoc inspections at the Democratic People's Republic of Korea's nuclear facilities. The Agency also confirmed its readiness to resume technical discussions with the objective of improving the Agency's understanding of the nuclear material inventory of the Democratic People's Republic of Korea.

27. In reply to the Agency's telex of 16 June 1993, Mr. Choi, in a telex dated 26 June, stated, *inter alia*, that it was the IAEA secretariat which "made the Board adopt the unjust resolution of 'special inspection' and transfer our (the Democratic People's Republic of Korea) 'nuclear issue' to the Security Council, having ignored our (the Democratic People's Republic of Korea) proposals on consultations".

28. In reply to the Agency's telex of 25 June 1993, the Ministry of Atomic Energy of the Democratic People's Republic of Korea, on 3 July, reiterated the content of Mr. Choi's telex from 26 June and stated that "the Agency's containment and surveillance equipment installed at our (the Democratic People's Republic of Korea) nuclear facilities remain intact".

29. In a 12 July 1993 telex to Mr. Choi, the Director-General drew attention to the fact that "the safeguards agreement remains operative and the Agency has an obligation under the Agreement to perform routine and ad hoc inspections", that these tasks of the Agency "cannot be delegated" and that "it would be unfortunate if, by default, the safeguards-related data which have been obtained through our (IAEA-Democratic People's Republic of Korea) past cooperation should lose their validity". The Director-General reconfirmed the Agency's readiness "to host a consultation meeting without delay".

30. On 30 July 1993, the Agency notified the Democratic People's Republic of Korea of the schedule for the conduct of routine and ad hoc inspections in the Democratic People's Republic of Korea at seven facilities from 3 to 14 August 1993.

31. Although the Agency continued to emphasize to the Permanent Mission of the Democratic People's Republic of Korea at Vienna the need to perform all the required routine and ad hoc inspections in accordance with the safeguards agreement, the Mission advised the Agency on 2 August 1993 that the Democratic People's Republic of Korea was ready to accept the IAEA team only to replace tapes and power supply batteries for the safeguards surveillance equipment.

32. Following a series of communications with the Democratic People's Republic of Korea, problems deriving from the delayed issuance by the Democratic People's Republic of Korea of visas for Agency inspectors were resolved and a team of Agency inspectors arrived in the Democratic People's Republic of Korea on 3 August 1993. Having received a report from the

inspectors, the secretariat sent a telex to the Ministry of Atomic Energy of the Democratic People's Republic of Korea on 5 August indicating that "there may be some misunderstanding of the scope of this inspection which resulted in some restrictions of the inspection activities so far". The Agency made it clear that the scope of that inspection "encompasses all the containment and surveillance measures and should not be restricted only to modular integrated video systems (MIVs), so as to maintain continuity of knowledge of certain safeguards-related information" and requested the Democratic People's Republic of Korea to "reconsider the issue and permit the inspectors to complete their specified inspection activities".

33. The Agency inspectors left the Democratic People's Republic of Korea on 10 August 1993, having been permitted only to carry out part of the required inspection activities. In a telex sent to the Agency on 6 August, the Ministry of Atomic Energy of the Democratic People's Republic of Korea (referring to consultations between the Agency and the Permanent Mission of the Democratic People's Republic of Korea at Vienna held on 2 August and to the Agency's telex of 5 August) stated that "we (the Democratic People's Republic of Korea) provided the full conditions for performing by the inspectors the inspection activities necessary to maintain continuity of safeguards-related information" and that "the other matters you (IAEA) mentioned should be discussed at the forthcoming consultation meetings".

34. On 17 August 1993, Mr Choi telexed the Director-General to inform him, *inter alia*, that the joint talks between the Democratic People's Republic of Korea and the United States of America held in mid-July at Geneva "discussed the partiality of IAEA as the major subject for possible consultation between the Democratic People's Republic of Korea and IAEA and other subject therefor". Mr Choi stated that in "the spirit of such discussion ... we are prepared for the consultation with the IAEA delegation in Pyongyang".

35. In a telex to Mr Choi, dated 19 August 1993, the Director-General stated that he was "prepared to send a consultation team to Pyongyang", that in his view "the consultations should cover outstanding safeguards and other issues" and that the Agency team "would be prepared to discuss such complaints as the Democratic People's Republic of Korea side might wish to raise and would wish, itself, to discuss pending issues including, *inter alia*, the scope and results of the latest IAEA inspections". In his response on 24 August, Mr Choi stated that "the consultation would cover mainly the Agency's injustice and other relevant matters thereof".

36. An Agency team headed by the Deputy Director-General for Safeguards held consultations with the Democratic People's Republic of Korea authorities at Pyongyang during the period from 1 to 3 September 1993. Although the consultations provided an opportunity for IAEA and the Democratic People's Republic of Korea to exchange views on the application of safeguards by the Agency in the Democratic People's Republic of Korea, it did not result in any progress in resolving any of the outstanding issues. The delegation of the Democratic People's Republic of Korea reiterated its views concerning the "misconduct and partiality" of the Agency in applying safeguards in the Democratic People's Republic of Korea. In that connection the statement was made that "only when we (the Democratic People's Republic of Korea) are fully convinced that the Agency has seriously and sincerely redressed its unjust actions, we (the Democratic People's Republic of Korea) would be prepared to hold constructive consultation with the Agency on other issues related to the safeguards for the Democratic People's Republic of Korea's nuclear activities". The Democratic People's Republic of Korea team added that "it would be most regrettable, if the Democratic People's Republic of Korea delegation would not be in a position to fulfil its Treaty-related obligations simply because of the Agency's unamended misconduct and behaviour".

37. The Agency team provided detailed explanations of the role of the Board and the secretariat under the statute in general and in relation to the safeguards agreement with the Democratic People's Republic of Korea in particular. It also responded to complaints raised by the Democratic People's Republic of Korea in the context of the implementation of the safeguards agreement and assured the Democratic People's Republic of Korea that the Agency consistently endeavoured to implement safeguards in the Democratic People's Republic of Korea and elsewhere with objectivity and impartiality, and that this would continue to be its policy.

38. Furthermore the Agency team emphasized that the Pyongyang consultations should, in addition to discussing issues relating to the impartial application of safeguards, also focus on outstanding safeguards issues. In this context the team, *inter alia*, brought to the attention of the team of the Democratic People's Republic of Korea the following:

(*a*) An Agency inspection team must perform routine and ad hoc inspections in the Democratic People's Republic of Korea before 28 September 1993 to verify the location and quantity of nuclear material in the Democratic People's Republic of Korea in a timely manner in order for the Agency to meet its inspection goals.

(*b*) As part of the routine implementation of safeguards, the Agency must be present when the refuelling operation at the 5 MW(e) reactor takes place.

(*c*) The Agency needs access to additional information and locations, as called for by the Board's resolution of 25 February 1993 in order to clarify inconsistencies that the Agency has found between the declaration of the Democratic People's Republic of Korea and explanations on the one hand and the Agency's analysis on the other.

39. The team of the Democratic People's Republic of Korea declined to discuss any of the above points. They continued to state their "principled position" that "the Agency should frankly admit its injustice and partiality and make a political decision to redress them" and that "the Agency should admit and apologize for touching off the unfair special inspection controversy against the procedures for clarifying inconsistencies, and on the basis of false information from the third country". It also demanded that "the Agency should immediately rescind all the resolutions with respect to special inspection and non-compliance" and "should call to account those responsible staff members for the injustice".

40. Upon the return of the Agency team to Vienna the Director-General sent, on 8 September 1993, a telex to Mr Choi in which he stated: "It is regrettable that no progress has been achieved on any of the outstanding issues. For its part, the Agency remains ready to continue the consultations, preferably in advance of the coming meeting of the Board of Governors. It renews its invitation to receive a consultation team from the Democratic People's Republic of Korea in Vienna. The Agency would also be prepared to have separate scientific and technical discussion in Vienna or Pyongyang on outstanding inconsistencies".

41. In a separate communication on 8 September 1993, the secretariat notified the Democratic People's Republic of Korea about its schedule for routine and ad hoc inspections in the Democratic People's Republic of Korea from 25 September to 9 October 1993, giving details of inspection activities planned. The secretariat has made clear that the performance of all the activities listed for this inspection is essential and of particular importance in view of the restrictions imposed during recent inspections.

42. On 13 September 1993, Mr Choi sent a telex to the Director-General in which he made "clear once again that continuing the consultations is our (the Democratic People's Republic of Korea) constant position" and that "we (the Democratic People's Republic of Korea) are ready to conduct the next round of consultations in Pyongyang as the continuing of the consultation which was held early in September". He added that, in his view, "the inspection problem and other issues, too, would be resolved automatically, if the Agency's injustice would be resolved". Mr Choi also said that "we (the Democratic People's Republic of Korea) are prepared to consider positively the same Agency's inspection activities as the inspection activities conducted early in [August] 1993, for maintaining continuity of safeguards information".

43. The Director General sent a telex to Mr Choi on 14 September 1993 noting the willingness of the Democratic People's Republic of Korea authorities to consider positively an Agency request to conduct further inspection activities of the kind carried out in August "for maintaining continuity of safeguards information". He pointed out, however, that although the missions which the Agency had sent to the Democratic People's Republic of Korea in May and in August had helped to maintain some continuity of safeguards information, this had been in only two of the Democratic People's Republic of Korea's declared nuclear facilities. The Director General added that, in any case, "the activities which Agency inspectors were enabled to carry out then fell considerably short of the requirements of the Safeguards Agreement". The Director General also referred to the Agency telex of 8 September 1993 which specified in detail "the routine and ad hoc inspection activities, which we (IAEA) need to carry out between 25 September and 9 October if the Agency is to meet those requirements, thereby ensuring, *inter alia*, continuity of safeguards over the Democratic People's Republic of Korea's declared nuclear activities". The telex also expressed the Agency's hope that "the second round of consultations will make progress", stating that "in our view, the time has come, in particular, for constructive discussion on how to resolve outstanding inconsistencies". The Director General also explained that, as consultations

had taken place at Pyongyang from 1 to 3 September 1993, the next round should be held at Vienna, in keeping with normal diplomatic practice. He asked when the Democratic People's Republic of Korea would be able to send a consultation team to Vienna and for details about the composition of the team.

44. At the time of preparing the present report, the Agency was awaiting a response from the Democratic People's Republic of Korea to the Director General's telex of 14 September to Mr. Choi.

45. Key points to emerge from the foregoing are as follows:

(*a*) The inconsistencies between the Democratic People's Republic of Korea's initial report on its nuclear material subject to safeguards and the Agency's findings remain and consequently the Agency cannot verify the correctness and assess the completeness of the initial report of the Democratic People's Republic of Korea. No access has been obtained to additional information or locations which might help to resolve these inconsistencies.

(*b*) In addition to the need to resolve the inconsistencies, the Agency also now needs to carry out all the routine and ad hoc inspection activities specified in its telex of 8 September 1993 to the Democratic People's Republic of Korea if it is to meet the requirements of the safeguards agreement, thereby, *inter alia*, ensuring continuity of safeguards over the Democratic People's Republic of Korea's declared nuclear activities.

(*c*) Since the Director-General's report of 30 March 1993 to the Board of Governors (reproduced in document GOV/2643), the Agency has not been enabled to conduct the normal regular routine and ad hoc inspections which are essential if it is to meet the requirements of the safeguards agreement. The seventh and eighth inspections were limited to containment, surveillance and maintenance activities at the 5 MW(e) reactor and at the radiochemical laboratory.

(*d*) The Agency was informed in May 1993 that the refuelling of the 5 MW(e) reactor had been postponed. The Agency has reiterated to the Democratic People's Republic of Korea that it considers it essential for the Agency to be present during the refuelling.

DOCUMENT S/26461[*]

Letter dated 16 September 1993 from the representative of Yugoslavia to the Secretary-General

[*Original: English and French*]
[*17 September 1993*]

I have the honour to transmit herewith information on the effects of the United Nations sanctions on the health situation of the population of the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission
of Yugoslavia to the United Nations

ANNEX

Information on the effects of United Nations sanctions on the health situation of the population of the Federal Republic of Yugoslavia

INTRODUCTION

The humanity of a society and international organizations is reflected precisely in their attitude towards children, the sick and the elderly. United Nations sanctions - resolutions 757 (1992) and 820 (1993) - threaten the fundamental human rights of not only the population and refugees, but also foetuses and new-born infants, which can be characterized as genocide, directly or by its subsequent effects. UNICEF described the 20th century as a century of disgrace, since an undeclared war is being waged against children unprecedented in history.

Out of 10,391,659 people in the Federal Republic of Yugoslavia (1991 census), 40.4 per cent are children and youth below the age of 24. Out of 660,000 refugees in the Federal Republic of Yugoslavia in April 1993, 290,000 are minors, while over 300,000 are persons above the age of 18 and women. In 1992, around 10,000 infants were born in exile.

Child morbidity and mortality as a result of contagious diseases have increased, as well as the cases of poliomyelitis and complications resulting from rheumatic fever, cancer, leukaemia, etc.

At stake are not only the wounded, refugees and thousands of unfortunate families and people but the suffering of a people and, sooner or later, the World Health Organization (WHO) will have to recognize that it has violated its own basis principles and committed violence against our population. The Federal Republic of Yugoslavia has provided equal health protection to all the refugees as to its own population. About 95 per cent of refugees have been accommodated in private homes which is also without precedent.

EFFECTS

Primary health care

In 1991 and 1992, health care i.e. the general practice and specialists' services were reduced by 10 per cent. In 1992, the mortality rate as a result of contagious diseases increased by 37.5 per cent as compared to the previous period and the number of epidemics increased 2.5 times as compared to 1991.

The number of children covered by compulsory immunization according to WHO programme, has declined as compared to 1988: DPT from 91.29 per cent to 84.2 per cent, anti-poliomyelitis from 93.38 per cent to 84.45 per cent, and measles from 91.79 per cent to 80.64 per cent.

Cases of anaemia rose by 1.53 per cent, cerebral vascular diseases by 0.41 per cent and heart diseases by 1.06 per cent in the overall morbidity rate.

The sanctions imposed by the Security Council have seriously threatened the standard of living and degraded the diet of the population. According to the estimates, the calory intake has been reduced by 28.2 per cent and the diet of the population is 20 per cent below the physiological minimum. According to haemoglobin tests, every second school child in Belgrade is anaemic.

Infant mortality in Belgrade has increased from 14 per cent in 1991 to 16 per cent in 1992. In the health care of adults and working people, for the first time anaemia is among 10 most frequent diseases.

The general mortality rate in Belgrade was maintained in the period from 1978 to 1990 at 790 per 100,000 people. Since then, this rate has increased considerably so that, in 1992, it amounted to 977 per 100,000 people.

In-patient health care

The United Nations sanctions caused enormous problems, difficulties and even ethical dilemmas in hospitals.

The general conditions in hospital are at the lowest level ever: the shortage of disinfectants threatens to provoke infections in hospitals. There is a shortage of food for patients and medical equipment is ever more frequently out of use due to the lack of spare parts. Treatment has become very difficult: many categories of medicines are lacking as well as anaesthetics and anti-shock medicines used only in emergencies. There is a shortage of cyclosporin for the patients which have undergone transplant operations as a result of which transplants are rejected. In the psychiatric clinics, patients are being tied to beds because of the lack of tranquillizers; elderly patients are deprived of haemotherapy because of the lack of cytostatics; and pace-makers are taken from the diseased patients since they have been lacking for several months. Patients in need of dialysis receive only two instead of the necessary three treatments per week. There is a shortage of diagnostics, haemorrhage-detecting reagents, necessary surgical supplies, blood derivatives, particularly agents for the production and packing of blood and its derivatives, some groups of vaccines, anti-tetanus and anti-viperine serums. Particular problems are caused by the shortage of medication for heart diseases and mental illnesses. Furthermore, 80 per cent of the anaesthesia equipment and anaesthetics is import-dependent.

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[*] Circulated under the double symbol A/48/408-S/26461.

The condition for in-patient treatment in psychiatric hospitals have deteriorated. Due to the shortage of medicine, these patients are aggressive, inclined to fight, assault medical staff and destroy hospital inventory, they also escape from hospital, which often causes their death. In the psychiatric hospital in Kovin, 250 patients died in 1992, which exceeds by 200 per cent their number in 1991. Seventy new cases of tuberculosis have also been registered.

In 1992, the number of patients suffering from acute nephritic diseases has doubled. In the Republic of Serbia, 3,000 chronic patients are under haemo-dialysis (250 patients are refugees) and 350 patients have transplanted kidneys (including 50 refugees). There is a shortage of agents necessary for dialysis solutions as well as spare parts for haemo-dialysis equipment, which makes the prospects of their survival uncertain.

Due to the lack of immuno-suppressive medicines (cyclosporins), the number of kidney transplants has declined from the annual average from 40-50 in the 1987-1992 period to 19 in 1992, while 350 patients with transplanted kidneys are under a high risk.

The lack of diagnostic agents for hepatitis B and C viruses has endangered the health of the patients undergoing dialysis and has increased the number of hepatitis diseases and mortality caused by them.

Before the imposition of sanctions, the number of in-patients suffering from cholelithiasis was 122, of which 68 (72 per cent) underwent surgery. After the imposition of sanctions, their number was 98 over a period of one year, of which 55 (55 per cent) underwent surgery.

The extremely narrow range of available antibiotics has caused serious consequences manifested in local and general post-operative infections the number of which is increasing, including other complications. The instances of post-blood-transfusion B hepatitis have increased because of the lack of diagnostic agents.

According to the date of the Hospital of the Internal Medicine of the Medical Faculty in Pristina, the cases of rheumatic fever have increased from 27 in 1978 to 66 in 1992, while in the same period the cases of glomerulonephritis have increased from 100 to 161. This has been caused by the insufficiency of penicillin as a prophylactic agent.

The number of stress-related diseases - gastric and colon ulcer and bleeding - has increased, patients in the critical condition arrive in hospitals too late because of the shortage of fuel (42 per cent).

The Commission for Psychiatry and Mental Health of the Republic of Serbia estimated that, in 1992, there were 500 patients with serious reactive disturbances which should have been hospitalized in view of the difficult conditions we live in, while 500 patients suffering from serious mental diseases had to be hospitalized because their health condition worsened because of stress. Psychopathology and delinquency are in increase.

Up to 1992, suicides, in general and by certain age groups, had a downward trend. Since the outbreak of conflicts in the territory of the former Socialist Federal Republic of Yugoslavia, the suicidal rate in all age groups ha increased, particularly in case of the elderly (there is an average of one suicide every other day in Belgrade).

The mortality rate increased considerably from 3,599 in 1991 to 4,487 in 1992. The number of murders also increased considerably in 1992 as compared to 1991 (140 to 98), particularly by fire arms (100 to 47).

The data of the Pathology Institute in Belgrade indicate that, since the imposition of sanctions, infections (pneumonia and sepsis) have caused an increasing number of deaths (by app. 50 per cent), which shows that, in a relatively short period of time, the sanctions have caused death of patients and had a bearing on the quality of diagnosis.

The Federal Republic of Yugoslavia had an adequate network of health institutions, medical experts, capacities and modern equipment for providing appropriate health care to all categories of the population, in accordance with the relevant pathology and standards of the social and health care. The entire system of social and health care was socialized, while health care was almost free for the whole population.

The Federal Republic of Yugoslavia could provide modern diagnosis, treatment and rehabilitation and carry out, with success, national and international programmes for the promotion of health and quality of life, particularly by implementing the social and health care programme "Health for All by the Year 2000".

Secession and civil war in the territory of the former Socialist Federal Republic of Yugoslavia have resulted, already in 1991, in a certain deterioration of the economic situation in the Federal Republic of Yugoslavia which was also considerably reflected in the field of health care and health situation in general. Health institutions lacked about 60 per cent of medicaments and medical equipment supplied by the former republics of the Socialist Federal Republic of Yugoslavia.

In 1992, health care drastically deteriorated as a result of the imposition of the United Nations sanctions and embargo against the Federal Republic of Yugoslavia. This illegitimate, inconceivable and genocidal act was also applied to health care, although this is not provided by the resolutions. The Federal Republic of Yugoslavia, like other countries, was dependent on the international exchange of goods and services, including the means necessary for health care. (Out of the total necessary medical supplies almost 95 per cent was imported as well as over 85 per cent of agents and intermediaries and 90 per cent of medical equipment). Suddenly, Yugoslavia was left without medication it had imported, as well as raw materials for its own drug production, equipment, spare parts, equipment and spare parts for health institutions, some vaccines, diagnostic agents, reagents and other indispensable medical supplies for daily or special purposes.

Although resolutions 757 (1992) and 820 (1993) do not ban imports of medical supplies, the Federal Republic of Yugoslavia is faced with numerous problems in providing its medical supplies. Humanitarian aid deliveries, apart from being insufficient, have also been impeded and abused, which the procedure for obtaining approval for the import and transport of medical supplies to the Federal Republic of Yugoslavia is so complicated that medicines cannot be used because date of their safe use has expired, etc.

DOCUMENT S/26462

Letter dated 17 September 1993 from the representative of Georgia to the President of the Security Council

[*Original: English*]
[*17 September 1993*]

I have the honour to transmit to you herewith the text of a note verbale issued on 16 September 1993 by the Ministry of Foreign Affairs of the Republic of Georgia.

I should be grateful if appropriate measures could be taken in response to the request contained therein.

(*Signed*) Peter P. CHKHEIDZE
Permanent Representative
of Georgia
to the United Nations

NOTE VERBALE DATED 16 SEPTEMBER 1993 FROM THE MINISTRY OF FOREIGN AFFAIRS OF GEORGIA TO THE PRESIDENT OF THE SECURITY COUNCIL

The Ministry of Foreign Affairs of the Republic of Georgia presents its compliments to the President of the Security Council and has the honour to inform him of the following.

On 16 September 1993 at 5 a.m. the Gudauta grouping of Abkhazia violated the Sochi agreement of 27 July 1993 [*S/26250, annex I*] and started a full-scale offensive against the cities of Sukhumi and Ochamchira. The Georgian side, faithful to the agreement, has withdrawn its military troops and heavy armament from this territory.

As a result, brutality is taking over the peaceful spirit and the role of Russia, as a guarantee of peace, is being neglected.

The aim of these new hostilities is to benefit from the deterioration of the situation in Western Georgia and to take over the whole territory of the part of Georgia known to the world as Abkhazia.

Proceeding from the above-mentioned, the Ministry appeals to the United Nations to convene urgently an extraordinary meeting of the Security Council to discuss the critical developments in Abkhazia and send the special envoy of the Secretary-General to the area.

DOCUMENT S/26464

Letter dated 17 September 1993 from the representative of Yugoslavia to the Secretary-General

[*Original: English*]
[*17 September 1993*]

I have the honour to transmit herewith a letter by Mr. Radoje Kontic, Prime Minister of the Federal Republic of Yugoslavia.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Dragomir DJOKIC
Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia
to the United Nations

TEXT OF THE LETTER

In accordance with Security Council resolution 847 (1993) of 30 June 1993, the mandate of the United Nations Protection Force (UNPROFOR) in the United Nations Protected Areas (UNPAs) has been extended until 30 September 1993.

The above-mentioned resolution and other relevant United Nations documents specify that UNPROFOR will remain in the protected areas until an overall political solution is found to the Yugoslav crisis, as well as that their initial mandate will be renewed in case such a settlement is not reached through negotiations.

In my letter of 6 June 1993 I asked you to recommend that the Security Council extend, without fail, UNPROFOR's mandate for the next 12 months. The Security Council accepted your recommendation and adopted a decision on the temporary extension of the mandate of UNPROFOR until 30 September 1993, leaving open the possibility of a new extension, depending on the development of the situation in the protected areas and at the Geneva negotiations.

There is no need to lay special emphasis on the importance of UNPROFOR's presence in the past period since it is precisely UNPROFOR that has made possible the maintenance of a fragile peace and prevented further confrontations and the escalation of the war.

Croatia is, regrettably, brazenly continuing its aggression on territories under United Nations protection despite the most severe condemnation and warnings of the Security Council. The recent aggression of the Croatian Army, only a few days ago, is continuing with unabated intensity and threatening a further conflagration of the conflict and its spread to a broader region. These attacks of the Croatian Army, primarily on the unprotected civilian population of Krajina, constitute a flagrant violation of the Vance plan on the establishment of the UNPAs and have been committed in a manner which not only violates the agreement reached, but also directly jeopardizes UNPROFOR forces in the field. The consequences of this aggression may, in any case, have an extremely adverse effect on the current efforts being exerted by the participants in the Geneva Conference for establishing a lasting and just peace in the overall territory of the former Socialist Federal Republic of Yugoslavia.

The Federal Republic of Yugoslavia supports the Vance plan and is interested in having it observed and implemented by all parties. We are therefore of the opinion that the latest armed aggression of Croatia against the areas under United Nations protection clearly points to the need for extending UNPROFOR's mandate for the forthcoming period. In view of the fact that the Security Council is shortly to adopt a new decision on the extension of the mandate of UNPROFOR, I should kindly like to ask you to bear in mind the fact that conditions have not been created for terminating this peace operation and that UNPROFOR's presence in the protected areas is an essential factor for creating the necessary conditions for a political settlement of the problem. In this, as in the past, you can count on the full support and assistance of the Government of the Federal Republic of Yugoslavia.

I should like to avail myself of this opportunity to express my deepest respect and gratitude for your peaceful efforts for establishing lasting peace and arriving at a just solution in the territory of the former Yugoslavia.

I hope that our request for the further extension of UNPROFOR's mandate in the protected areas will meet with understanding and approval.

Radoje KONTIC
Federal Prime Minister

DOCUMENT S/26467

Letter dated 13 September 1993 from the representative of Thailand to the Secretary-General

[*Original: English*]
[*18 September 1993*]

I have the honour to transmit to you the text of the joint communiqué issued by Mr. Chuan Leekpai, the Prime Minister of the Kingdom of Thailand, and H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen, the Co-Presidents of the Provisional National Government of Cambodia, issued in Bangkok on 13 August 1993 on the occasion of the Co-Presidents' official visit to the Kingdom of Thailand from 12 to 15 August 1993.

I should be grateful if the text of the joint communiqué were to be circulated as a document of the Security Council.

(*Signed*) Nitya PIBULSONGGRAM
Permanent Representative
of Thailand
to the United Nations

JOINT COMMUNIQUE

1. At the invitation of Mr. Chuan Leekpai, Prime Minister of the Kingdom of Thailand, His Royal Highness Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen, Co-Presidents of the Provisional National Government of Cambodia (PNGC), paid an official visit to the Kingdom of Thailand from 12 to 15 August 1993.

2. During their visit to Thailand, H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen, accompanied by Princess Marie and Mrs. Bun Sam Hieng, were granted an audience with the King and the Queen. The Co-Presidents also visited many places of interest in Bangkok and in Phuket.

3. The Co-Presidents of the PNGC held official talks with Mr. Chuan Leekpai on 13 August 1993 at Government House. Present at the talks on the Thai side were Squadron Leader Prasong Soonsiri, Minister of Foreign Affairs, and other high-ranking officials; on the Cambodian side were H.R.H. Prince Norodom Sirivudh, Minister of Foreign Affairs and International Cooperation, and other high-ranking officials. The talks took place in an atmosphere of friendship, understanding and cooperation.

4. The Thai side welcomed the first official visit by the Co-Presidents of the PNGC to Thailand as it helped to strengthen the already close neighbourly relationship between Thailand and Cambodia. The Thai side also congratulated H.R.H. Sdech Krom Luong Norodom Ranariddh and Mr. Hun Sen on the establishment of the PNGC and their appointment as Co-Presidents of the PNGC. The Thai side informed the Cambodian side that they were encouraged by the establishment of the PNGC as it laid a foundation for peace in Cambodia and expressed full support to the PNGC in its continued implementation of the peace process and in its effort to work towards national reconciliation.

5. The two sides praised the role of H.R.H. Samdech Presh Norodom Sihanouk, Head of State and President of the Supreme National Council of Cambodia, in unifying the Cambodian people and in bringing about genuine national reconciliation as well as peace and progress in Cambodia.

6. The Cambodian side expressed appreciation for Thailand's constructive role in supporting the peace process in Cambodia. The Cambodian side briefed the Thai side on the latest developments of the situation in Cambodia, namely the progress in the drafting of the constitution and the ongoing efforts to arrive at lasting peace and national reconciliation.

7. The two sides expressed satisfaction with the present state of the relationship between the two countries. Both sides reaffirmed their full respect for the sovereignty, territorial integrity and non-intervention in the internal affairs of each other. The two sides were of the view that closer ties of friendship, cooperation and good-neighbourliness would meet the interests of their peoples and contribute to peace, prosperity and stability in the South-East Asian region.

8. Both sides shared the view that there exists great potential for the strengthening of the relationship between the two countries and reaffirmed their determination to concretely promote economic, social and cultural cooperation, especially in the fields of trade, investment, tourism, agriculture, education, civil aviation, fishery and energy. In order to expand economic cooperation, the Cambodian side agreed to honour legitimate business contracts previously entered upon by Thai businessmen and Cambodian parties, and by Cambodian businessmen and Thai parties. In order to promote trade and contact between the peoples of the two countries, both sides also agreed to expedite the process of opening permanent crossing points between Thailand and Cambodia after appropriate preparations are in place. Pending this, the two sides agreed to promote their cooperation against theft, robbery and all illegal activities, with a view to providing and assuring a peaceful and stable situation along the Thai-Cambodian border.

9. The Thai side reiterated its firm intention to support the rehabilitation and reconstruction of Cambodia. The Cambodian side expressed gratitude to the Thai Government for the repair and restoration of highway route 5 between Poipet-Sisophon and the reconstruction of three Thai-Cambodian friendship schools in Ban Nimitr, Poipet and Wat Khao Phnom Ba, Battambang Province, Cambodia. The Cambodian side would confirm the date for the opening ceremony of the highway which would be presided over by the Prime Ministers of the two countries. The Cambodian side also expressed its interest in seeking cooperation from the Thai side in the repair and restoration of highway route 18 from Dentong to Sra Ambel, Koh Kong Province, the road from O-Smach to Ampil, Siemreap - Oddar Meanchey Province, as well as the railway from Poipet to Sisophon, Battambang Province. The Thai side expressed its readiness to study the above request of the Cambodian side.

10. In response to a request from the Cambodian side, the Thai side agreed to favourably consider providing military uniforms to the Cambodian Armed Forces. The Cambodian side expressed its appreciation for continued Thai cooperation in human resources development and technical assistance in various fields, particularly in public health, agriculture, science and technology.

11. Both sides noted the significance of Cambodia's presence at the 26th Association of South-East Asian Nations Ministerial Meeting (AMM), held recently in Singapore. The Thai side expressed its sincere hope of seeing Cambodia's greater participation in regional cooperation at the next AMM/Post-Ministerial Conference (PMC) to be held in Thailand in 1994.

12. The two sides welcomed the successful outcome of the visit to the Kingdom of Thailand by the Co-Presidents of the PNGC and agreed that there should be a more frequent exchange of visits by delegations of the two countries in the future. The Co-Presidents invited Mr. Chuan Leekpai to pay an official visit to Cambodia. The Prime Minister of Thailand accepted the kind invitation with pleasure and would communicate the dates of the visit later through diplomatic channels.

DONE at Bangkok on 13 August 1993.

For the Provisional National Government of Cambodia	*For the Government of the Kingdom of Thailand*
Sdech Krom Luong Norodom RANARIDDH HUN SEN *Co-Presidents*	Chuan LEEKPAI *Prime Minister*

DOCUMENT S/26468

Letter dated 19 September 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*30 September 1993*]

I should like to refer to resolutions 807 (1993), 815 (1993), 836 (1993), 844 (1993) and 847 (1993) and my reports of 10 February [*S/25264*] and 14 June 1993 [*S/25939*].

It will be recalled that in operative paragraph 8 of its resolution 807 (1993), the Security Council has invited the Secretary-General to take all appropriate measures to strengthen the security of the United Nations Protection Force (UNPROFOR), in particular by providing it with the necessary means of self-defence. In that resolution and when extending UNPROFOR's mandate in resolutions 815 (1993) and 847 (1993), the Council invoked Chapter VII of the Charter with a view to ensuring the security of the Force and its freedom of movement in the Republic of Croatia and the Republic of Bosnia and Herzegovina.

In paragraph 10 of its resolution 836 (1993), the Security Council decided that in the context of the safe areas in Bosnia and Herzegovina, Member States, acting nationally or through regional arrangements, may take all necessary measures in support of UNPROFOR in the performance of its mandate.

The Commander of UNPROFOR is of the opinion that the problems relating to the security of the Force in Bosnia and Herzegovina and in the United Nations Protected Areas (UNPAs) in Croatia are directly interrelated. Should air power be used in Bosnia and Herzegovina, there is a strong possibility of retaliatory action against UNPROFOR in the UNPAs. Moreover, despite the upgrading of its defensive capabilities on the ground, the widely dispersed deployment of UNPROFOR in the UNPAs leaves its units unacceptably vulnerable to possible attacks. The Force Commander has, therefore, recommended that the authority to use air support for defensive purposes be extended to UNPROFOR's units in Croatia.

I concur with the assessment of the Force Commander and would, therefore, appreciate a clarification by the Security Council as to whether the necessary defensive means mentioned in its resolution 807 (1993) may include the provision of air support in defence of UNPROFOR in Croatia.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENTS S/26470 AND ADD.1

Further report of the Secretary-General pursuant to Security Council resolution 743 (1992)

DOCUMENT S/26470

[*Original: English*]
[*20 September 1993*]

INTRODUCTION

1. By its resolution 847 (1993) of 30 June 1993, the Security Council decided to extend the mandate of the United Nations Protection Force (UNPROFOR) for an additional interim period terminating on 30 September 1993, and requested the Secretary-General to report after one month on progress towards implementation of the United Nations peace-keeping plan for Croatia and all relevant Council resolutions. On 16 August 1993, the Secretary-General reported to the Council [*S/26310*] on this matter. In his report, he recommended that no action be taken at that stage to reconsider UNPROFOR's mandate in the territory of the Republic of Croatia, and said that he would submit a further recommendation to the Council in the latter half of September. The present report is intended to assist the Security Council in its deliberations on the renewal of the mandate of UNPROFOR.

I. UNPROFOR STRUCTURE

2. UNPROFOR is headed by the Special Representative of the Secretary-General, Mr. Thorvald Stoltenberg, and includes military, civil affairs (including civilian police) and administrative components, with overall headquarters in Zagreb, Croatia. As of 10 September 1993 the strength of the military personnel, led by the Force Commander, General Jean Cot of France, amounted to 24,281, including 456 United Nations military observers. There are 628 civilian police, 695 international civilian staff (including 306 contractual personnel who are not members of the international civil service) and 974 local staff.

II. BOSNIA AND HERZEGOVINA

3. The Bosnia and Herzegovina command of UNPROFOR, headquartered in Kiseljak, and led by Lt. General Francis Briquemont of Belgium, consists of 11,511 military, civilian and police personnel. The Bosnia-Herzegovina Command operates under a series of Security Council mandates relating, *inter alia*, to Sarajevo airport, the protection of humanitarian convoys and the safe areas. Sarajevo airport continues to provide the main humanitarian lifeline for the city of Sarajevo. This well-organized operation has received more than 4,700 humanitarian flights since its inception in June 1992. UNPROFOR's presence in several other areas of the Republic of Bosnia and Herzegovina has, to a limited extent, contributed to a lessening of tensions and has facilitated the passage of humanitarian convoys. The achievement of an overall peace settlement for the Republic would have a significant impact upon the work of UNPROFOR in Bosnia and Herzegovina.

4. However, in recent months, continued hostilities in central and southern Bosnia have seriously undermined the capability of UNPROFOR, the Office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian agencies to deliver humanitarian assistance there and elsewhere. Intense fighting in this region has blocked the main supply routes for humanitarian assistance into northern Bosnia, and the deliberate targeting of United Nations vehicles and personnel has further restricted the freedom of movement of UNPROFOR and UNHCR in the area. In this connection, UNPROFOR and UNHCR have initiated a humanitarian "Operation Lifeline" to keep the main routes open to help ensure the survival of up to 2.2 million people in Bosnia and Herzegovina during the forthcoming winter. It will only work effectively if there is a political agreement leading to peace and if adequate funding is forthcoming.

III. FORMER YUGOSLAV REPUBLIC OF MACEDONIA

5. The Secretary-General last submitted a report to the Security Council in respect of UNPROFOR's operations in the former Yugoslav Republic of Macedonia on 13 July 1993 [*S/26099*]. The former Yugoslav Republic of Macedonia command of UNPROFOR, led by Brigadier-General Finn Saermark-Thomsen of Denmark, now consists of 1,190 military, civilian and police personnel. A Nordic battalion is based at Kojlija, east of Skopje, and a United States contingent of 315 troops arrived in Skopje in early July, deploying to the former Yugoslav Republic of Macedonia side of the border with the Federal Republic of Yugoslavia (Serbia and Montenegro) on 20 August 1993. United Nations military observers, United Nations civilian police (UNCIVPOL) and civil affairs officers have also been deployed. Since early 1993 the northern border and the western border north of Debar have been constantly monitored from observation posts and by regular patrols. United Nations military observers and civilian police also mount regular patrols in their areas of operation. UNPROFOR maintains close cooperation in the former Yugoslav Republic of Macedonia with the Conference on Security and Cooperation in Europe (CSCE) monitor mission there. It now also, in cooperation with the authorities in the former Yugoslav Republic of Macedonia and CSCE's sanctions assistance mission, monitors traffic crossing the border with the Federal Republic of Yugoslavia (Serbia and Montenegro). This first venture into the field of "preventive deployment" by the United Nations has so far been successful. UNPROFOR enjoys an excellent cooperative relationship with the Government of the former Yugoslav Republic of Macedonia.

IV. CROATIA

6. Since the renewed outbreak of hostilities in Croatia, consequent upon the Croatian incursion into the United Nations Protected Areas

(UNPAs) and "pink zones" on 22 January 1993, continuous endeavours have been made within the framework of the International Conference on the Former Yugoslavia and by UNPROFOR to bring about a cease-fire and a restoration of the prior status in accordance with Security Council resolution 802 (1993) of 25 January 1993, in order to permit a revival of efforts to implement resolution 743 (1992) and subsequent resolutions relating to the situation in Croatia. Negotiations under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to implement resolution 802 (1993) have proceeded on a continuing and active basis. It had been hoped that, with a progressive restoration of mutual confidence between the two sides, talks could open under the auspices of the International Conference on the Former Yugoslavia on national reconciliation and on broader political questions, within the framework of the relevant Council resolutions.

7. However, as the Council is aware, new tensions arose following the decision of the Croatian Government, on 6 July 1993, to rebuild and reopen the Maslenica bridge on 18 July, the consequences of which have been described in the Secretary-General's report of 16 August 1993. Though, in pursuance of the Erdut/Zagreb agreement of 15/16 July 1993, UNPROFOR had moved 2,000 troops into the areas adjacent to those from which the Croatian forces were to withdraw, these troops could not be deployed because the Croatian military authorities would not allow UNPROFOR full access to the areas concerned. Nor did they provide any cooperation in regard to the planning of the operation or the reconnaissance for it.

8. On 2 August, following Serb shelling of the area, one of the pontoons of the Maslenica bridge sank, but the Co-Chairmen concluded that there was still enough common ground to continue negotiations. They therefore extended an invitation to both sides to come to Geneva to begin negotiations on a cease-fire which would include the elements of the original Erdut/Zagreb agreement. The parties accepted the invitation and talks started on 12 August 1993 at Geneva. Despite intensive discussions in Geneva, Zagreb and Knin between the representatives of the Co-Chairmen and representatives of the parties, the most recent meetings having taken place on 9 and 10 September, it has not yet been possible to achieve an overall cease-fire agreement. However, both sides did agree to send military experts to a meeting which was to have taken place on board a ship in the Adriatic on 12 September.

9. On 9 September, after several days of grave incidents in the United Nations Protected Areas and "pink zones", and rising tension in Croatia, shelling intensified on both sides of the confrontation line, and the Croatian Army once again effected a military incursion. This took place in the area of Medak, where three Serb villages were seized. The hostilities worsened on 10 and 11 September, with a serious escalation in the military means employed: the Croatian Government used aircraft to bomb Serb positions, and the Serbs fired rockets and heavy missiles at Croatian population centres. Following the intervention of my Special Representative and the Force Commander, and a call from the Security Council [*S/26436*], the parties finally agreed to a cease-fire on 15 September. Croatian withdrawal to positions occupied before this incursion has begun after some delay, and UNPROFOR is moving some 500 to 600 troops into the area to replace the withdrawing Croatian armed forces. Efforts to restore the shipboard meeting, postponed as a result of the hostilities, are continuing.

V. OBSERVATIONS

10. The United Nations peace-keeping plan approved by the Security Council in resolution 743 (1992), which remains the cornerstone of UNPROFOR's mandate, was agreed to by Croatia, the former Socialist Federal Republic of Yugoslavia, and by the Serb authorities in Knin. It is a plan for the withdrawal of armed forces, the return of refugees, reconciliation between Croatia and the Serb community living there and a future constitutional settlement. Subsequently, the former Socialist Federal Republic of Yugoslavia ceased to exist, and four of its constituent Republics - Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia and Slovenia - became Members of the United Nations in their own right. UNPROFOR's mandate in respect of Croatia was expanded by successive resolutions of the Security Council to include such matters as the "pink zones", border control, the provisions of resolution 820 (1993) on control by Croatia of imports and exports to United Nations Protected Areas, as well as the tasks associated with the ongoing conflict which was resumed on 22 January 1993.

11. The political and military situation on the ground means that these mandates cannot be implemented without the cooperation of the Serb authorities in Knin, which obliges UNPROFOR to negotiate with them as well as with the Croatian Government. In this situation, UNPROFOR's credibility has been undermined, as each side, for its own reasons, blames the Force for failing to fulfil its expectations - of the restoration of normal conditions and the return of refugees, in the case of Croatia, or of protection, in the case of the local Serbs. Each declares, from time to time, its readiness to use force to achieve its political and territorial aspirations. The continuing uncertainty over the future political shape and form of a settlement in Bosnia and Herzegovina also affects, to a significant degree, the solution of the problem. In this situation, fighting continues, with more death and destruction; attitudes become more polarized, and peoples and economies on both sides of the confrontation line undergo increasing deprivation.

12. While some elements of UNPROFOR have been able to adapt their activities to these changed circumstances, key parts of the plan have been difficult, if not impossible, to implement, and have become more so since the resumption of hostilities following the Croatian incursion of 22 January 1993. With each subsequent unilateral action on each side of the confrontation line, the crisis has deepened. Last week's events marked the third major incursion by Croatia into areas of the United Nations Protected Areas or pink zones, and (except for the most recent case) it has subsequently failed to withdraw its forces, contending that these areas are "part of Croatia" and that it has a right to occupy them, if not by agreement, then by force. Many of the tasks of the military component of UNPROFOR cannot, in a situation of continuing strife, be carried out. Yet UNPROFOR members are often exposed to physical danger, and many have been harassed, threatened and abused by both Croatian and Serb armed elements. As of 13 September 1993, the Force has suffered 654 casualties, 57 of them fatal; of these, 357 and 31 respectively were in Croatia. UNPROFOR's freedom of movement is increasingly circumscribed. The Croatian leadership and press frequently express vehement criticism, sometimes bordering on vilification, of UNPROFOR, based on what can only be seen as a wilful misreading of its mandate.

13. President Tudjman of Croatia, in a letter to me dated 13 September 1993, advanced a number of considerations which he wished to be taken into account in future efforts for peace and normalization in these areas. I have transmitted this letter to the Co-Chairmen so that they may take it into account in the exercise of their good offices. One of President Tudjman's suggestions is that UNPROFOR be divided into three parts - UNPROFOR (Croatia), UNPROFOR (Bosnia and Herzegovina) and UNPROFOR (the former Yugoslav Republic of Macedonia) - while retaining its integrated military, logistical and administrative structure under the command of one Special Representative of the Secretary-General and one theatre Force Commander. In view of the importance attached by the Croatian authorities to such a division, and taking into account the circumstances prevailing on the ground at the present time, I have decided to grant this suggestion favourable

consideration. Accordingly, should the mandate of UNPROFOR be renewed as discussed below, I will instruct my Special Representative to take steps to implement such a division, provided that there are no additional financial implications and that overall command and coordination by himself and the Force Commander is not weakened.

14. In turning to the mandate itself, I should like to stress that the fundamental solution to the problem has to be sought through political dialogue. It is the parties themselves who bear the primary responsibility for achieving such a solution, and who must take steps towards reconciliation. In this process, the principal objective of UNPROFOR can only be to keep the peace, thereby permitting negotiations to take place on an overall political settlement.

15. As the Security Council well knows, the lack of cooperation by the parties, and in particular the refusal of the Serb side to disarm as provided for in the original plan, has prevented UNPROFOR from carrying out essential elements of its mandate. The presence of UNPROFOR in Croatia has nevertheless to some extent contained a volatile situation which, were it once again to explode, could ignite a war with far-reaching consequences. I have been sorely tempted, in the light of the criticism of UNPROFOR by both sides and the dangers and abuse to which its personnel are exposed, to recommend the withdrawal of the Force altogether, but I am conscious that such a step could only result in further conflict.

16. I therefore recommend to the Security Council that it renew the mandate of UNPROFOR for a period of six months, as is usual with most United Nations peace-keeping operations. At the same time, I suggest that the Council demand that the parties in Croatia conclude an immediate cease-fire and cooperate with UNPROFOR, which must, in the first instance, be enabled to fulfil the peace-keeping aspects of its mandate. To enhance the security of the Force, I have requested the extension of close air support to the territory of Croatia [*S/26468*]. To improve the atmosphere in which UNPROFOR's efforts are conducted, the Council may wish to direct the parties to cooperate with UNPROFOR in restoring water, power, communications and other economic necessities, as most recently demanded by the Council in resolution 847 (1993). At the conclusion of a two-month period, i.e. by 30 November, I shall report to the Council on the progress which has been made by the Co-Chairmen and by UNPROFOR. I may also, at that time, convey further recommendations to the Council, on the basis of developments during these two months, and on the course of negotiations undertaken between the parties.

17. I should like to pay tribute to my Special Representative, Mr. Thorvald Stoltenberg, the Force Commander, General Jean Cot, and the brave men and women of UNPROFOR for their remarkable courage and dedication in the performance of their duties. I count on them to continue to make every effort, in cooperation with the parties, to achieve the implementation of all aspects of the peace-keeping plan.

DOCUMENT S/26470/ADD.1

[*Original: English*]
[*23 September 1993*]

FINANCIAL ASPECTS

1. By its resolution 47/210 B of 14 September 1993, the General Assembly authorized the Secretary-General to enter into commitments for UNPROFOR at a rate not to exceed $65 million gross ($64,419,275 net) per month for the period from 1 October to 31 December 1993. This authorization is subject to the review by the Security Council of the mandate of the Force as well as to the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions.

2. Should the Security Council decide to renew the mandate of UNPROFOR beyond 30 September 1993, the monthly cost of maintaining the Force will be limited, initially, to the commitment authority contained in General Assembly resolution 47/210 B. The Secretary-General will report to the Advisory Committee and to the General Assembly on the additional requirements needed for the maintenance of the Force.

3. Unpaid assessed contributions to the UNPROFOR special account for the period since the inception of the Force through 31 August 1993 amounted to $178.1 million.

DOCUMENT S/26471*

Letter dated 14 September 1993 from the Secretary-General to the President of the General Assembly and to the President of the Security Council

[*Original: English/French/Spanish*]
[*20 September 1993*]

I have the honour to transmit to you the letter addressed to me by Mr. Christopher R. Thomas, Deputy Secretary General of the Organization of American States, conveying the text of a Declaration on the situation in Haiti, adopted by the Permanent Council of the Organization of American States on 8 September 1993.

I should be grateful if you would be kind enough to bring the text of this letter and the Declaration to the attention of the members of the General Assembly.

(*Signed*) Boutros BOUTROS-GHALI

LETTER DATED 8 SEPTEMBER 1993 FROM THE DEPUTY SECRETARY GENERAL IN CHARGE OF THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN STATES TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a copy of the Declaration on the situation in Haiti adopted unanimously by the Permanent Council of the Organization of American States at its regular meeting held today.

(*Signed*) Christopher R. THOMAS
Deputy Secretary General
in charge of the General Secretariat

Declaration on the situation in Haiti, adopted by the Permanent Council at its meeting held on 8 September 1993 [CP/DEC.14 (960/93)]

The Permanent Council of the Organization of American States,

Having heard the statement by the Ambassador Permanent Representative of Haiti on the resurgence of human rights violations in that country, and aware of the press release of the Inter-American Commission on Human Rights No. 16/93, dated August 27, 1993, and of information received from the United Nations/Organization of the American States Civilian Mission,

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* Circulated under the double symbol A/47/1023-S/26471.

Reiterates its concern over such alarming reports and expresses its resolute condemnation of those responsible for the acts that have been denounced;

Recalls that the suspension of the trade embargo and other measures adopted by the international community as a result of the overthrow of the legitimate Government of Haiti presupposes full compliance with the Agreement of Governors Island, which embodied the commitment to carry out a "peaceful transition to a stable and lasting democratic society in which all Haitians will be able to live in a climate of freedom, justice, security and respect for human rights" [*S/26063, para. 5, point 10*];

Urges the international community to transfer as a matter of urgency the resources required for the emergency programs of the Government of Prime Minister Robert Malval, and

Requests the Secretary General of the Organization of American States to transmit this Declaration to the Secretary-General of the United Nations and to disseminate it as widely as possible.

DOCUMENT S/26472

Letter dated 20 September 1993 from the representative of Georgia to the President of the Security Council

[*Original: English*]
[*20 September 1993*]

Despite the steps taken by the Security Council and the Secretary-General, the situation in Abkhazia, the Republic of Georgia, still remains near catastrophic.

In this connection, I have the honour to transmit to you an appeal made at Sukhumi by the Chairman of the Parliament, Head of State of the Republic of Georgia, Mr. Eduard Shevardnadze, to all the friends of my homeland, dated 20 September 1993.

I should be grateful if you would circulate this appeal as a document of the Security Council.

(*Signed*) Peter P. CHKHEIDZE
Permanent Representative
of Georgia
to the United Nations

TEXT OF THE APPEAL

[*Original: Russian*]

To all the friends of my homeland

I am appealing to you from besieged Sukhumi, not knowing if my words will ever reach you. Fighting is taking place only a few blocks away from the building in which my friends and I are located. Whatever happens, I shall not leave this city which, once again, has fallen victim to deceit and treachery. I shall not leave the residents of Sukhumi, who have been subjected to suffering and deprivation in their own city, which has been left to the mercy of a brutal, inhuman force. That force is shelling residential areas. In the past two days, 40 civilians have died and 353 have been seriously wounded. Since the beginning of the war, 2,031 people have been killed and 5,802 seriously wounded.

How often have I asked myself: "What is happening? For what purpose?"

The Gudauta leaders say that they are fighting for freedom and for the right to live in their native land. But 240,000 Georgians, whose roots in this soil go back centuries, are yearning for that very same freedom and are seeking to uphold that very same right. This land has been a cradle to both Georgians and Abkhaz.

We did not intend to expel anyone, but the criminal intent of those who sponsor the Gudauta clique has led to the forced exile of 150,000 Georgians who today are dying of hunger and illness in Russian and Georgian cities. With them, thousands of Abkhaz, Russians and Armenians have been driven from their homes.

We did not intend to conquer anyone. After all, how could we subjugate our own citizens and occupy our own land, the centre of our ancient culture and statehood? We sought only to safeguard the sovereignty of the Republic, defend its vital arteries and put an end to sabotage and terror. This we wished to do with the knowledge, consent and participation of our Abkhaz fellow countrymen, and the leaders of the Abkhaz "Vendee" were aware of this. They knew that the territory of the autonomous republic was being used by bandits, aggressors and terrorists as a base for subversive activities against the Republic of Georgia, and they tolerated them, seeking to use this card to their own advantage.

They succeeded. And that success was achieved with the direct support and complicity of those forces in Russia and our country that have conspired to "quarter" Georgia. Now that the actions of the anti-national forces in Georgia itself, the "spontaneous" (as they say in Gudauta) violation of the Sochi agreement, the steps taken by some of the highest-ranking military personnel of the Russian Federation and the policy of the Russian Parliament have all coincided, we have every right to claim that this has been a well-coordinated and well-orchestrated collective blow. I want the world to realize that Abkhazia is the arena for the empire's bloody revenge, a "second August", the fuse with which they intend to blow up not only Shevardnadze's Georgia but also Yeltsin's Russia.

There is a logical sequence connecting all the events that led up to the present inferno. On 3 September 1992, we signed the final document in Moscow. The ink was still wet on the paper when the document was trampled by the boots of the mercenaries who stormed defenceless Gagra. On 14 May 1993, we agreed on a cease-fire, after which Sukhumi was attacked from land, sea and air and an assault force, armed to the teeth, invaded Ochamchire district. As a result, Sukhumi was blockaded. Finally, for the third time, having put faith in the Russian Federation's peacemaking mission and its role as guarantor and mediator, we concluded the agreement of 27 July 1993 and, once again, we were betrayed. The guns that, under the agreement, should have been withdrawn, resumed their thunder, the engines of combat equipment that was to be dismantled roared back into life, and the irregulars who had supposedly been disarmed joined the assault. Once again we have to face a bitter fact: the guarantor of the agreement either did not wish, or was unable, to discharge that duty.

My talks with General Grachev, Minister of Defence of the Russian Federation, yielded no results. Although in themselves they were constructive, later that same day they were disavowed by statements by several subordinates of the Russian Minister of Defence and by the decision of the Russian Parliament.

Neither have there been any positive results from the resolutions of the Security Council and the repeated, strongly worded statements by the Secretary-General.

I do not doubt the sincerity of efforts by the President of the Russian Federation to promote a settlement to the conflict; in this, however, he is impeded by the same force which is trying to crush us.

That notwithstanding, I appeal once again to Boris Nikolaevich Yeltsin, to the Security Council and Mr. Boutros-Ghali, to the entire progressive and democratic Russian nation and to all the peoples of the world: do not allow this monstrous crime to be committed, halt the execution of a small country and save my homeland and my people from perishing in the fires of imperial reaction. The world must not condone the annihilation of one of its most ancient nations, the creator of a great culture and heir to exalted spiritual traditions.

Boris Nikolaevich, you did a great deal for Georgia in the hour of its most arduous ordeals. Perhaps the time has now come for you to speak out boldly in its defence. You will be speaking also in defence of your own Russia, for our peoples have always shared a common destiny.

I count on the help of the friendly Ukrainian people and its President, with whom I have signed a treaty on mutual assistance. I also pin my hopes on the solidarity of the peoples and republics of the former Soviet Union, of our historical neighbours: Armenia, Azerbaijan, Turkey and Iran. I await help from our friends in the West.

I thank all those who have extended and who will extend a strong and friendly hand to Georgia, which is being forced into the abyss of annihilation.

In my aspiration to end the cold war and to bring down the walls of division and alienation, I fought for the freedom and independence of all peoples, little suspecting that it would only be after the major threats to the existence of humankind has been removed that my own nation would face its darkest hour.

Perhaps there will be some who say that this is a cry of despair. No, if it is a cry, it is a cry from the heart, from my own heart and that of my people, and I want it to be heard. For humankind can never be content, can never enjoy the blessings of the world in tranquillity so long as one nation, albeit the very smallest, is threatened with annihilation.

I am writing this at 3 a.m. Shells are falling on the city; 1,500 homes have been destroyed. There is no water, no bread, no electricity and hopes are fading. The shelling continues. A moment ago several shells hit a maternity hospital, in which there were newborn infants and their mothers.

I am not bidding you farewell. I do not wish to say farewell. May God send you peace and happiness.

DOCUMENT S/26478

Joint note verbale dated 17 September 1993 from the mission of Georgia and the mission of the Russian Federation to the Secretary-General

[*Original: English*]
[*21 September 1993*]

The Permanent Mission of the Republic of Georgia to the United Nations and the Permanent Mission of the Russian Federation to the United Nations have the honour to request that the joint letter dated 7 September 1993 from the Minister for Foreign Affairs of the Republic of Georgia, Mr. A. D. Chikvaidze, and the Minister for Foreign Affairs of the Russian Federation, Mr. A. V. Kozyrev, addressed to the Secretary-General be circulated as a document of the Security Council.

JOINT LETTER DATED 7 SEPTEMBER 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF GEORGIA AND THE MINISTER FOR FOREIGN AFFAIRS OF THE RUSSIAN FEDERATION TO THE SECRETARY-GENERAL

[*Original: Russian*]

Our letter to you is motivated by the persisting unstable situation in the area of the Abkhaz conflict and by our desire to give new impetus to the peace process in Abkhazia, with the active participation of the United Nations.

The first steps along the path to peace have already been taken. The Sochi cease-fire agreement of 27 July 1993 [*S/26250, annex I*] is generally being observed. The withdrawal of troops and *matériel* is continuing and the process of separating the opposing forces has begun. This is being considerably facilitated by the hard work performed by the tripartite Russian-Georgian-Abkhaz bodies set up pursuant to the Sochi agreement, namely, the Joint Commission on the settlement in Abkhazia and the interim monitoring groups. They have been joined in these efforts by the advance team of United Nations observers, whose deployment marks an important step forward in promoting implementation of the agreement.

It is clear to us that the durability of the cease-fire regime will depend to a large extent on the effective involvement of the international community in ensuring its observance. Favourable conditions for this have been created by resolutions 849 (1993) and 854 (1993) of the Security Council. It is our hope that, at this crucial stage, the international community, acting through the United Nations, will manifest its full support for the quest for peace.

The Russian Federation and Georgia strongly believe in the imperative need for the speediest possible deployment to Abkhazia of full contingent of United Nations observers, in accordance with your recommendations, and we welcome the recent adoption of Security Council resolution 858 (1993) on this matter. It is essential that the United Nations observers should cooperate as closely as possible with the interim monitoring groups of the Joint Commission.

In order to ensure that the stated goals are effectively attained, we are prepared to consider merging these groups (which could, if necessary, be "reinforced") with the United Nations Observer Mission to Georgia, and making the machinery as a whole answerable to the Security Council.

Since the situation remains precarious, additional measures may be necessary. The chances of definitively ending the conflict will be increased with the deployment of international peace-keeping forces. In accordance with the letter sent to you on 8 August 1993 by the Joint Commission on the settlement in Abkhazia, their numerical strength and composition could be determined by agreement between the sides. If necessary, the Russian military contingent temporarily deployed in the conflict zone could be used for these purposes at the initial stage. In this connection, we are in favour of starting substantive consultations with the United Nations as provided for by article 5 of the cease-fire agreement and paragraph 6 of your report of 6 August 1993 (S/26250).

Naturally the measures which we propose above must go hand in hand with the opening of negotiations, as soon as possible, on a comprehensive settlement of the conflict under the auspices of the United Nations and with the Russian Federation as facilitator.

We request that you take due account of these considerations when submitting your recommendations to the Security Council.

A. CHIKVAIDZE
Minister for Foreign Affairs
of the Republic of Georgia

A. KOZYREV
Minister for Foreign Affairs
of the Russian Federation

DOCUMENT S/26479

Letter dated 20 September 1993 from the representative of the Russian Federation to the Secretary-General

[*Original: Russian*]
[*21 September 1993*]

I have the honour to transmit herewith a letter dated 17 September 1993 from the Minister for Foreign Affairs of the Russian Federation, Mr. A. V. Kozyrev, addressed to you on the question of confidence-building measures between the parties in conflict in the Republic of Bosnia and Herzegovina and request you to have it circulated as a document of the Security Council.

(*Signed*) Y. VORONTSOV
Permanent Representative
of the Russian Federation
to the United Nations

LETTER DATED 17 SEPTEMBER 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE RUSSIAN FEDERATION ADDRESSED TO THE SECRETARY-GENERAL

I have just visited Sarajevo and should like to inform you about my impressions and share with you certain ideas that came about as a result of talks with the leaders of Bosnia and Herzegovina and the Bosnian Serbs.

The situation in Sarajevo seems calmer than it was during my visit to the city in May of last year, although there is considerably more destruction and the sound of shooting can still be heard.

Members of all the communities in the city are now equally concerned about one problem: the approaching winter. This general feeling of anxiety, it seems, is moving the parties towards a dialogue on issues that are quite specific.

By making use of this situation, it would be possible to take a number of steps to strengthen confidence-building measures between the parties in conflict, utilizing the potential of the United Nations forces in Bosnia and Herzegovina.

The following is a set of measures, some of which have been included, as a result of our common efforts in Sarajevo and Geneva, in the joint declaration on the conditions for signing a peace agreement, which was adopted by the Muslim and Serb parties, while others require additional steps and assistance on the part of the United Nations Protection Force (UNPROFOR):

1. Establishment of a direct telephone line between Sarajevo and Pale in order to make effective contact.

The Muslim and Serb sides agree in principle on this.

2. Opening of new routes for the delivery of humanitarian assistance through territory under Serb control, including routes to areas that are now blocked as a result of fighting between Muslims and Croats.

The Russian Federation is prepared to provide three to five civilian monitors to accompany the humanitarian convoys.

3. Establishment of a joint commission made up of representatives of the parties and UNPROFOR in order to resolve questions relating to restoration of the city's water and power supply.

The Serbs have expressed their readiness to supply Sarajevo with fuel (firewood and coal) "for a modest fee" or arrange its transshipment from other areas of Bosnia through territory under their control.

4. Establishment in Sarajevo of three check-points for unimpeded passage by citizens as a first step towards making Sarajevo an open city.

5. Obtaining permission to purchase 6,000 tons of salt and 2,000 tons of oil in order to maintain the normal condition of roads and ensure the movement of humanitarian convoys over them during the winter period.

This is a request by the Serb side.

6. Transfer of school textbooks to the Muslim side in exchange for Serb objects of cultural value situated in Sarajevo.

This is a proposal by the Serb side.

7. Establishment of "medical corridors" between hospitals in the area of Sarajevo (from Ilidza to Lukavica for the Serb side and from Hrasnica to Kosevo for the Muslim side).

8. Assistance in obtaining authorization from the Security Council Committee on sanctions for the delivery of 10,000 tons of fuel oil to heat schools, hospitals and kindergartens during the winter.

This is a request by the Serb side.

It seems that these measures could help stabilize the situation around Sarajevo and in Bosnia and Herzegovina in general and bring us closer to a final settlement of this bloody conflict.

I request you to bring my letter to the attention of the members of the Security Council as well as the senior officials of UNPROFOR, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross.

A. KOZYREV
Minister for Foreign Affairs
of the Russian Federation

DOCUMENTS S/26480 AND ADD.1

Report of the Secretary-General

DOCUMENT S/26480

[*Original: English*]
[*21 September 1993*]

INTRODUCTION

1. In my report dated 25 August 1993 [*S/26352*], I recommended to the Security Council the establishment of a United Nations Mission in Haiti (UNMIH) for an initial period of six months to help implement the Governors Island Agreement concluded on 3 July 1993 between the President of the Republic of Haiti, Reverend Father Jean-Bertrand Aristide, and the Commander-in-Chief of the Haitian Armed Forces, General Raoul Cédras [*S/26063, para. 5*].

2. After reviewing that report, the Security Council adopted resolution 862 (1993), in which, *inter alia*, it requested a further report from the Secretary-General on the proposed establishment of UNMIH, including, in particular, a detailed estimate of the cost and scope of this operation, a time-frame for its implementation, and the projected conclusion of the operation, and how to ensure coordination between it and the work of the Organization of American States (OAS). The present report responds to the Council's request for such additional information.

I. ADVANCE TEAM TO HAITI

3. In paragraph 2 of its resolution 862 (1993), the Security Council approved the early dispatch of an advance team of not more than 30 personnel to assess requirements and prepare for the possible dispatch of both the civilian police and military assistance components of the proposed United Nations mission in Haiti. Accordingly, an advance team, headed by my Special Envoy, Mr. Dante Caputo, and also including my Military Adviser, Major General Maurice Baril, as well as a number of military, police and civilian specialists, travelled to Haiti on 8 September.

4. The mandate of the advance team was twofold: first, the team was instructed to undertake a detailed survey as a basis for the preparation of the present report; and second, a small group of military and police officers remained in Haiti after the return of the main body of the advance team on 12 September, with the task of making preparations for the eventual deployment of the mission in Haiti subject to the approval of the Security Council.

5. During their stay in Haiti, my Special Envoy, and the senior members of his team met with a number of Haitian officials representing the Constitutional Government, as well as the Armed Forces. These officials included both Prime Minister Robert Malval and senior members of his Cabinet and the Commander-in-Chief of the Haitian Armed Forces, General Raoul Cédras and members of his General Staff.

6. Both sides confirmed their desire to pursue the implementation of the Governors Island Agreement, including those provisions which foresee the participation of the United Nations.

7. Notwithstanding the assurances given by both sides regarding their readiness to cooperate with the United Nations in the implementation of the relevant provisions of the Governors Island Agreement, they continue to be divided by deep mistrust and suspicion. It was clear to the advance team that that divide needs to be bridged on an urgent basis in order for tangible progress to be achieved towards the implementation of the Agreement. Meanwhile, the political and social climate in Haiti continues to be characterized by widespread violations of human rights and other instances of violence. In these circumstances, in the opinion of my Special Envoy, there is an urgent need to demonstrate through concrete steps the commitment of the international community to the solution of the Haitian crisis. I fully concur with my Special Envoy in this regard. It is my hope, therefore, that the Security Council, on the basis of the additional information provided in the present report, will agree to the urgent establishment of UNMIH in line with my earlier recommendations.

II. ASSISTANCE IN THE POLICE SECTOR

8. As was mentioned in my report dated 25 August 1993, although the present Haitian Constitution provides for a police force separate from the Armed Forces, at the present time the responsibility of the Armed Forces of Haiti encompasses both military and police functions. In accordance with point 7 of the Governors Island Agreement and paragraph 4 of the New York Pact of 16 July 1993, [*S/26297, annex*] a law is to be adopted by the Haitian Parliament, by way of extraordinary procedure, to establish a new police force. Point 5 of the Governors Island Agreement calls for the presence of United Nations personnel to assist in the establishment of the new force. Pending the creation and training of the new Haitian Police, President Aristide, in his letter of 24 July 1993 [*S/26180*], requested the United Nations to provide advice and assistance for the purposes of improving the functioning of the existing security forces, with particular reference to respect for human rights.

9. The main objective of the United Nations cooperation in the police sector is to assist in the establishment and organization of a national police force separate from the Armed Forces. In the first phase, pending the creation of such a police force, the police members of UNMIH would monitor the performance of the existing security forces. In particular, United Nations police monitors would verify that the existing security forces respect human rights as well as the letter and spirit of the political accord. This initial phase of the Mission is estimated to require six months. As soon as feasible, and if possible before the completion of the initial phase, the scope of UNMIH activities in the police sector would be expanded to include training of the members of the new police force.

10. Requirements of further assistance for training in the police sector will depend on the progress achieved during the first phase. It is my intention to present recommendations in this regard to the Council before the expiry of the mandate of UNMIH should the Council decide to establish the Mission for an initial period of six months.

11. The advance team concluded that 567 United Nations police monitors would be the minimum strength required to accomplish the tasks established for the police component.

12. For the organizational purpose of the police component, the territory of Haiti would be divided into four administrative divisions, with headquarters in Port-au-Prince. United Nations police monitors would be present in all departmental capitals. To the extent possible, United Nations police monitors would be deployed at the same locations as the United Nations/OAS Civilian Monitors of the Civilian Mission in Haiti (MICIVIH).

13. The Police Act currently under consideration in the Haitian Parliament envisages the integration of the police into the fabric of local communities and the encouragement of the development of a partnership between the police and the communities they serve. It is essential for United Nations police monitors to adapt their deployment and *modus operandi* accordingly. This would create public awareness among the Haitians as to what the relationship ought to be between the police and the citizens they serve in a democratic country.

14. It is understood that the functions of United Nations police monitors in Haiti will be strictly limited to monitoring and training. At the same time, it is my expectation that, through their presence and the example they will be setting, the United Nations police monitors will have a favourable impact on the manner in which police work is carried out in Haiti.

III. ASSISTANCE FOR MODERNIZATION OF THE ARMED FORCES

15. In my report dated 25 August 1993, I had indicated that a military component including a construction unit with a strength of approximately 500 and a training team of 60, would be required in order to implement the tasks of the military component of UNMIH. Based on its detailed assessment of the related requirements, the

advance team concluded that the strength of this component, including military trainers, would need to be increased to approximately 700.

16. The military assistance operation will be carried out in three phases: the first consisting of the movement of military units and the installation of a base camp; the second covering training of military personnel in various disciplines and the initiation of engineering and medical assistance projects; and the third and final phase would expand training, as well as engineering and medical projects enabling the Haitian military personnel to apply their newly acquired skills. It is estimated that all of these activities can be conducted simultaneously and be completed within six months.

17. The training which will be provided to the Haitian Armed Forces is intended to enhance their capabilities in non-combat skills essentially in areas relating to disaster preparedness and relief. Parallel with the activities outlined above, it is envisaged by the Haitian authorities that the Armed Forces will be reorganized into five battalions, including service support units, and be deployed throughout the country.

IV. COORDINATION BETWEEN UNMIH AND MICIVIH

18. My Special Representative (see para. 20 below) will be responsible for coordinating the work of UNMIH and of MICIVIH, both of which will function under his overall authority. Specifically, the United Nations police monitors will work in collaboration with the Department of Investigation and Research within the Human Rights Division of MICIVIH. Furthermore, MICIVIH would provide an orientation course for the United Nations police monitors, drawing on its experience in training its own civilian observers and its familiarity with the Haitian political and social environment.

19. The organizational structure of MICIVIH would remain essentially unchanged, with the Executive Director of MICIVIH reporting directly to the Special Representative. The MICIVIH budget will remain separate from that of UNMIH, retaining its funding through the regular budget of the Organization and continuing its special budgetary and operational arrangements with OAS. The United Nations administrative component of MICIVIH will continue to provide full support to MICIVIH, but will be augmented so as to give it the capacity to support UNMIH as well. This single administration would, as a result, be removed from the organizational structure of MICIVIH to form a separate component catering to both entities under the authority of my Special Representative. While details of the costing arrangements for this dual role remain to be finalized, it is envisioned that the related costs would be shared between the two budgets.

V.STRUCTURE OF THE UNITED NATIONS MISSION IN HAITI

20. Should the Security Council authorize the establishment of the United Nations Mission in Haiti, it would be under the command of the United Nations, vested in the Secretary-General, under the authority of the Security Council. The Mission would be led in the field by my Special Representative, Mr. Dante Caputo, who has been my Special Envoy, and would be composed of police and military contingents. Commanders of those contingents would report to me through my Special Representative. The UNMIH police and military contingents would be composed of personnel made available by Member States. UNMIH would coordinate its activities closely with MICIVIH.

21. In accordance with established practice, UNMIH would need to have freedom of movement and communications and to enjoy other rights that would be necessary for the performance of its tasks in Haiti. UNMIH and its personnel would also have to be granted all relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations. A status-of-mission agreement would be signed with the Government of Haiti to facilitate the early dispatch of the Mission, as envisaged in paragraph 5 of resolution 862 (1993).

22. The security of UNMIH personnel needs to be carefully considered, bearing in mind the current situation in Haiti. There are frequent examples of human rights abuses, including extrajudicial killings, disappearances, beatings and other mistreatment of detainees and prisoners, arbitrary arrest and detention, and interference with the judicial process. Violence is often used to disperse popular assemblies, be they political, civic or religious in nature. The existing hazards are aggravated by the inability of local authorities to respond adequately to widespread instances of armed banditry and other acts of violence. I shall appoint a Security Adviser to coordinate the security requirements of the entire United Nations presence in the country.

23. Bearing in mind the dispersal of UNMIH personnel throughout the territory of Haiti, logistical requirements will be considerable for both the military and police components, including a minimum of seven helicopters, 323 overland vehicles and six Zodiac-type watercraft, as well as a 24-hour communications system. The construction battalion would be deployed with its own specialized equipment.

VI. CONCLUSIONS AND RECOMMENDATIONS

24. The most important immediate task for the establishment and maintenance of stability in Haiti is adherence to and implementation of the Governors Island Agreement. The United Nations will supplement the efforts of the people of Haiti to establish peace and democracy in their country.

25. My recommendations for the deployment of UNMIH have been developed with a view to ensuring that the operation is cost-effective. The cost estimate for the Mission is $49.9 million. The increase over the provisional estimate included in my earlier report of 25 August 1993 is mainly attributable to the addition of seven helicopters and other heavy equipment deemed essential for both components of the Mission. The budget estimate has also increased as a result of the inclusion of the staff of the Special Representative's Office responsible for the overall supervision and management of the Mission.

26. I shall submit an addendum to the present report as soon as possible, providing a statement of the financial implications for UNMIH. Some elements of the activities envisaged in my report of 25 August 1993 and the present one, such as the cost of construction material and other expenditures not normally financed from assessed contributions in peace-keeping missions, will have to be funded separately through the establishment of trust funds or other arrangements.

27. The assumption of office by Prime Minister Malval on 31 August 1993 marked the fulfilment of the principal conditions laid down in the Governors Island Agreement for the commencement of United Nations cooperation in its implementation. As indicated above, I share the view of my Special Envoy that there is now an urgent need to proceed with the activities foreseen to be undertaken by UNMIH. It is my recommendation, therefore, that the Security Council approve the establishment of UNMIH for an initial period of six months with the mandate and functions described in my report of 25 August 1993 and further elaborated in the present report.

28. As mentioned earlier, I anticipate the need for a second phase of assistance to train the members of the new police force to be

established. I shall present proposals to that effect before the end of the first phase of six months. While the exact duration of such a second and final phase remains to be determined, I do not expect it to exceed three months.

DOCUMENT S/26480/ADD.1

[*Original: English*]
[*22 September 1993*]

1. In my report to the Security Council of 21 September 1993 [*S/26480*], I indicated in paragraph 26 that I would submit, as soon as possible, an addendum to the report including a statement of the financial implications for the United Nations Mission in Haiti.

2. Should the Security Council approve my recommendation for the establishment of the United Nations Mission in Haiti, it is estimated that the total cost of the operation for a six-month period would amount to $49,856,000 gross and would include 99 international and 271 local civilian staff, 700 military contingent personnel, including military trainers and 567 police monitors. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

3. It would be my recommendation to the General Assembly, that should the Security Council decide to establish the United Nations Mission in Haiti, the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to a special account to be established for this purpose.

ANNEX

Cost estimates for the establishment of the United Nations Mission in Haiti for an initial period of six months

(*in thousands of United States dollars*)

Objects of expenditure		*Amount*
1 *Military component*		
	(*a*) Contingent personnel	7 173.0
	(*b*) Other costs pertaining to contingents	1 500.0
2 Civilian police and training		8 608.0
3 Civilian personnel		6 476.0
4 Premises, rental and maintenance		3 537.0
5 Vehicle operations		5 156.0
6 Aircraft operations		9 197.0
7 Sea operations		67.0
8 Communications and other equipment		4 834.0
9 Public information		205.0
10 Miscellaneous supplies, services, freight and support costs		3 103.0
	Total	49 856.0

DOCUMENT S/26481

Letter dated 20 September 1993 from the representative of Eritrea to the Secretary-General

[*Original: English*]
[*21 September 1993*]

The Permanent Mission of Eritrea to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to submit a statement on Somalia dated 17 September 1993 which reflects the position of the Government of Eritrea on the situation in Somalia.

I request that this statement be circulated as a document of the Security Council.

(*Signed*) Hagos GHEBREHIWET
Permanent Representative
of Eritrea to the United Nations

TEXT OF THE STATEMENT

The Government of Eritrea is gravely concerned about recent developments and the rapidly deteriorating situation in Somalia. A humanitarian intervention which started out with so much promise and solid, all-round support has been marred by escalating military conflict, the killing of peace-keeping troops and the rise in casualties among the civilian population, including women and children. Support for, and confidence in, the Somali intervention is being eroded, which, we believe, is detrimental to the whole operation.

In the Intergovernmental Authority on Drought Development (IGADD) summit held in Addis Ababa, Ethiopia, from 6 to 7 September, the Heads of State of the countries of the Horn of Africa, while applauding the "positive achievements of the United Nations in Somalia", stressed that "caution is required in handling the current very complicated political situation". The Summit also called for a more meaningful consultation between the United Nations Operation in Somalia and the countries of the subregion and a more active role on the part of the countries of the subregion.

Consistent with the stance of the Heads of State of the seven IGADD member countries and in the light of the continually deteriorating situation in Somalia, the Government of Eritrea urges that every effort be made to avoid a military showdown which is bound to result in heavy civilian casualties and will not contribute to the resolution of the underlying issues. It is our conviction that a peaceful solution to the issue concerning General Mohammed Farah Aidid is the only viable one and urge that all peace efforts towards that end be continued and be given a chance. We strongly believe that the international community should not be side-tracked and that the focus should once again return to the fundamental humanitarian and political issues, which were addressed positively in the March 1993 Addis Ababa accords.

The Government of Eritrea reiterates that within its very modest capabilities, it will continue to exert itself to make a positive contribution to the international and regional efforts for peace and reconciliation in tormented Somalia.

DOCUMENT S/26482*

Letter dated 21 September 1993 from the representative of Belgium to the Secretary-General

[*Original: English/French*]
[*22 September 1993*]

I have the honour to transmit herewith the French and English versions of a statement on Haiti issued by the European Community and its member States on 20 September 1993.

I should be grateful if you would have this letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Paul NOTERDAEME
Permanent Representative of
Belgium to the United Nations

TEXT OF THE STATEMENT

The European Community and its member States express their indignation at the series of assassinations of supporters of President Aristide and at the threats made against members of the constitutional Government and political activists who are in favour of the return of the President.

The European Community and its member States condemn such violence, which runs counter to the national reconciliation to be achieved on the basis of the Governors Island Agreement. They stress the obligation to maintain order which is incumbent on the army and the police and demand that those responsible be prosecuted and punished.

DOCUMENT S/26483

Report of the Secretary-General pursuant to Security Council resolution 845 (1993)

[*Original: English*]
[*22 September 1993*]

I. INTRODUCTION

1. At its 3243rd meeting on 18 June 1993 the Security Council unanimously adopted resolution 845 (1993) by which, *inter alia*, the Council:

> "*Recalling* its resolution 817 (1993) of 7 April 1993, in which it urged Greece and the former Yugoslav Republic of Macedonia to continue to cooperate with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in order to arrive at a speedy settlement of their difference,
>
> "2. *Urges* the parties to continue their efforts under the auspices of the Secretary-General to arrive at a speedy settlement of the remaining issues between them.
>
> "3. *Requests* the Secretary-General to keep the Council informed on the progress of these further efforts, the objective of which is to resolve the difference between the two parties before the commencement of the forty-eighth session of the General Assembly, and to report to the Council on their outcome in good time, and decides to resume consideration of the matter in the light of the report."

2. On adoption of resolution 845 (1993) I asked Mr. Cyrus Vance, former Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, to continue his mission of good offices. On 15 July I informed the Security Council that Mr. Vance had accepted my request, and that he would begin his assignment on 1 August 1993 [*S/26088*].

II. REVIEW OF DISCUSSIONS

3. Since undertaking his current assignment, Mr. Vance has held a series of separate meetings with the parties which led to their first direct meeting under his auspices. In accordance with the terms of resolution 845 (1993) the proposals contained in annex V of the report of the Secretary-General to the Security Council pursuant to resolution 817 (1993) [*S/25855*], which contained a draft Treaty Confirming the Existing Frontier and Establishing Measures for Confidence Building, Friendship and Neighbourly Cooperation proposed by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on 14 May 1993, served as a basis for these discussions.

4. On 11 and 12 August Mr. Vance met with the Foreign Minister of the Former Yugoslav Republic of Macedonia, Mr. Stevo Crvenkovski, and the former Foreign Minister Mr. Denko Maleski. On 22 August he met with a delegation of Greece led by Ambassador George D. Papoulias, Special Envoy. On 23 August he met with a delegation of the former Yugoslav Republic of Macedonia led by Ambassador Ivan Tosevski, Special Envoy of the President.

5. Following these separate meetings with the two sides, the parties, represented by Ambassador Tosevski and Ambassador Papoulias and their delegations, met for the first time together for direct discussions in Mr. Vance's presence on 23 August.

6. The direct discussions focused on Mr. Vance's proposed schedule for ongoing, direct talks at New York under his auspices. He proposed that continuous, direct and high-level discussions begin on 28 September. In the separate meetings and in their direct discussions, both sides expressed strong support for this proposal and assured Mr. Vance that they did so with the full confidence that it was acceptable to the leadership at the highest levels of their Governments. The parties also approved a joint statement which was released immediately to the press at United Nations Headquarters (see annex).

7. The direct meeting on 23 August took place in a cordial and cooperative atmosphere. Both sides welcomed this "new phase" in the effort to resolve their remaining differences which they hoped would lead to a "new era" in their relations. Pending the commencement of ongoing, direct talks, both delegations reserved their positions as reflected in the statement by the Government of Greece [*S/25855/Add.1*] and in the letter of the President of the Former Yugoslav Republic of Macedonia to the Secretary-General dated 29 May 1993 [*S/25855/Add.2*].

III. OBSERVATIONS

8. While it has not proved possible to resolve the difference between the two parties before the commencement of the

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* Circulated under the double symbol A/48/424-S/26482.

forty-eighth session of the General Assembly, as called for in resolution 845 (1993), their direct meeting in the presence of Mr. Vance and their agreement to enter into ongoing, direct discussions under his auspices demonstrate the desire on both sides to come to a resolution of the differences between them. Normalization of relations between these two States would contribute to peace and stability in the region.

9. As members of the Council will be aware, on 9 September the Prime Minister of Greece announced the dissolution of Parliament. Elections have been called for 10 October. The Greek authorities have said that this development will not affect the direct talks which will take place as scheduled at the end of September.

10. Mr. Vance and I continue to stand ready to assist the parties in their efforts to resolve their difference. In the meantime, I strongly urge both sides to continue their own efforts towards building mutual confidence and to refrain from any action which might contribute to tension between them.

ANNEX

Joint statement

[By the delegations of Greece and of the
former Yugoslav Republic of Macedonia]

On 23 August 1993 delegations of Greece and the former Yugoslav Republic of Macedonia, headed respectively by Ambassador George D. Papoulias, Special Envoy, and Ambassador Ivan Tosevski, Special Envoy, met together at New York under the good offices of the Special Representative of the Secretary-General, Mr. Cyrus R. Vance. At Mr. Vance's suggestion, which both parties warmly welcomed, they have agreed to commence direct discussions on a continuing basis in Mr. Vance's presence at New York on 28 September 1993, to be followed in due course by a visit of Mr. Vance to Athens and Skopje. These direct and continuous discussions will mark a new phase in the effort to resolve the differences between the parties, in accordance with Security Council resolution 845 (1993).

Pending the opening of the discussions on 28 September, both parties reserve their positions, as stated in documents S/25855/Add.1 and S/25855/Add.2.

The parties wish to express their deep appreciation to Mr. Vance for his tireless efforts in pursuing his mission of good offices.

New York City, 23 August 1993.

DOCUMENT S/26485

Letter dated 22 September 1993 from the representative of Bulgaria to the Secretary-General

[*Original: English*]
[*23 September 1993*]

Upon instructions from my Government, I have the honour to transmit a letter dated 15 September 1993 from Mr. Stanislav Daskalov, Minister for Foreign Affairs of the Republic of Bulgaria, addressed to you.

I would appreciate it if this letter could be circulated as a document of the Security Council.

(*Signed*) Slavi PASHOVSKI
Permanent Representative
of Bulgaria
to the United Nations

LETTER DATED 15 SEPTEMBER 1993 FROM THE MINISTER FOR FOREIGN AFFAIRS OF BULGARIA ADDRESSED TO THE SECRETARY-GENERAL

On the eve of the convening of the forty-eighth session of the General Assembly, it is a great pleasure and honour for me to inform you that Bulgaria envisages active participation in its work, focusing its efforts on the strengthening and maintenance of international peace and security with special regard to the situation in the Balkans.

It is my firm belief that the imposition of economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) is of vital importance for the endeavours of the international community to work out a just and lasting peaceful solution to the Yugoslav crisis.

Notwithstanding the extremely heavy commercial and financial losses incurred by Bulgaria, our unwavering and effective compliance with the sanctions has been widely recognized by international institutions, leading world politicians and the international mass media. At the same time Bulgaria's economic situation has often been described as the "gravest" of all the Eastern European countries.

In the aftermath of tightened United Nations sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) which have aggravated the critical economic situation of my country even more, the recommendation of 2 July 1993 concerning Bulgaria [*S/26040, annex I*] submitted by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia is highly appreciated. The Committee recognizes the urgent need to assist Bulgaria in coping with its special economic problems and appeals to all States, on an urgent basis, to provide immediate technical, financial and material assistance to Bulgaria to mitigate the adverse impact on its economy. However, there is little indication that this urgent appeal for assistance is being translated into practical help for Bulgaria's beleaguered economy.

In this regard I should be very grateful if you could request from the World Bank, the International Monetary Fund, the United Nations Development Programme and the European Bank for Reconstruction and Development any relevant information concerning their assessments of the impact of the carrying out of the Security Council resolutions on the economy of Bulgaria, as well as suggestions regarding ways and means of addressing its special economic problems.

I share the view that all of the provisions of Chapter VII of the Charter of the United Nations are of equal value and importance for the effective carrying out of preventive or enforcement measures envisaged therein. These provisions should be interpreted and implemented in their integrity. Article 50 of the Charter could be supplemented by appropriate arrangements creating obligations for concrete assistance to third States affected by mandatory sanctions of the Security Council.

I expect these vital issues to be the subject of further productive discussions and considerations during the forthcoming session. In the meantime I shall be most grateful for your support of our requests for substantial improvement of the work of the Security Council Committee established pursuant to resolution 724 (1991) with regard to requests for authorizations placed by Bulgarian companies, which should be treated with the necessary expediency and efficiency.

I also hope that the measures and procedures proposed by the Government of the Republic of Bulgaria for effective implementation of the relevant Security Council resolutions in the case of transshipments through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be approved, providing thereby some indirect support for the shattered national economy and the emerging Bulgarian private sector, most acutely suffering under the sanctions.

I should like to avail myself of this opportunity to express my highest esteem for your dedicated efforts for the revitalization of the work of the United Nations and to assure you that Bulgaria shall continue to pursue its constructive and positive activities aimed at strengthening the role and enhancing the credibility of the Organization during the forty-eighth session of the General Assembly.

(*Signed*) Stanislav DASKALOV

DOCUMENT S/26486

Letter dated 23 September 1993 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*23 September 1993*]

I have the honour to convey the report addressed to me on 21 September 1993 by the Co-Chairmen of the Steering Committee of the International Conference of the Former Yugoslavia on the latest developments in the search for peace in Bosnia and Herzegovina.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Report of the Co-Chairmen of the Steering Committee on the activities of the International Conference on the Former Yugoslavia

INTRODUCTION

1. The previous report of the Co-Chairmen, which the Secretary-General transmitted to the Security Council on 1 September 1993 [*S/26395*] dealt with the peace talks held in Geneva on 31 August and 1 September. In that report the Co-Chairmen indicated that on 1 September they had put to the parties a peace package distilled from the parties' own ideas. The Croat delegation was ready to sign the package. The Serb delegation was also ready to sign. President Izetbegovic, however, still wanted further consideration of the question of access to the Adriatic sea and of some territorial issues.

2. Noting that the choice was between a negotiated peace and the continuation of war, the Co-Chairmen warned of the danger that further conflict could take place and that it could even intensify and expand. Fighting has indeed persisted, especially in central Bosnia and around Mostar, where a number of new offensives appear to have been launched.

3. Since the submission of the preceding report, the Co-Chairmen have maintained contacts with the three sides, as well as with Presidents Bulatovic, Milosevic and Tudjman. The Co-Chairmen shuttled among them, holding meetings in Geneva, Zagreb, Podgorica, Skopje and Belgrade. The Co-Chairmen concentrated their efforts on improving relations among the parties, on the question of the access of the Muslim-majority Republic to the Adriatic Sea and on outstanding territorial questions. In the light of their contacts with the parties, the Co-Chairmen invited them to a meeting aboard HMS *Invincible* in the Adriatic Sea, on 20 September 1993. All three parties attended, led by President Izetbegovic, Mr. Karadzic and Mr. Boban. Presidents Bulatovic, Milosevic and Tudjman were also present. Deputy Foreign Minister Vitaly Churkin of the Russian Federation and Ambassador Charles Redman of the United States of America were present as observers.

I. IMPROVING RELATIONS AMONG THE PARTIES

4. Since the last report of the Co-Chairmen was issued, there have been some promising political developments, even if the conflict in Bosnia and Herzegovina has not abated. On 14 September, President Izetbegovic and President Tudjman met in Geneva and issued a joint declaration agreeing to the formation of a working group for matters related to territorial delimitation between the Muslim-majority Republic and the Croat-majority Republic in the Union of Bosnia and Herzegovina, including access to the sea, as a matter of common developmental interest. They also agreed on a cessation of all hostilities and military conflicts between the units of the Army of Bosnia and Herzegovina and the Croatian Defence Council (HVO) immediately, and by no later than 18 September 1993, at 1200 hours but unfortunately, as has so often been the case in the past, this was not respected.

5. On 16 September, President Izetbegovic met in Geneva with Mr. Karadzic's representative, Momcilo Krajisnik. They also agreed to a joint declaration and agreed to form a working group for outstanding matters related to the territorial delimitation between the Muslim-majority Republic and the Serb-majority Republic in the Union of Bosnia and Herzegovina, including the areas of Brcko, Bosanska Krajina, the Neretva Valley, eastern Bosnia at the Ozren mountain, including the natural right of the two Republics to access to the sea. This was in addition to the commitment already made to find a permanent solution to the governance of Sarajevo District within two years. They also agreed on the prompt cessation of all hostilities and military conflicts between the units of the Army of Bosnia and Herzegovina and the Bosnian Serb Army immediately, and by no later than 18 September 1993, at 1200 hours. They also agreed to establish direct communications (hot lines) between military commanders at all levels. Fighting between Serbs and Muslims remains at a relatively low level.

6. The Serb and Croat sides have indicated that they plan to meet and to issue a similar declaration.

II. ACCESS TO THE SEA

7. In view of the importance attached to providing the Muslim-majority Republic with access to the Adriatic Sea, arrangements were made for a team of experts from France and Germany to study the possibilities of building a commercial port in the coastal area between Ploce and Neum. In a report dated 20 September, which reached the Co-Chairmen the same day, the experts stated that they could not recommend the building of a port in Neum or on the peninsula of Kosa, in which the Muslim side had expressed interest. They recommended the use of a port in Ploce as a base on the Adriatic Sea with connection to Bosnia and Herzegovina through the Neretva river. That would allow traffic to come from overseas to Ploce and then to an inland port, for example Visici/Celjevo as a port of Bosnia and Herzegovina, with river/seagoing vessels going directly to the Mediterranean Sea, e.g. for general cargo.

8. The experts saw no possibility for constructing a new port in Neum, since there was no available area and the city and its narrow surrounding areas were built on a rocky slope. The road access to the hinterland was not sufficient. There was no railway line to the area of Neum and it was impossible to build a railway line to the city to serve a port. Moreover, the entrance to the bay of Neum was very small and covered with rocky islands, so that ships would have difficulties manoeuvring. Tug-boat services and pilotage would be necessary.

9. Furthermore, the city of Neum, as well as the northern part of the bay and parts of the Mali Ston canal, was a tourist area. The main business was tourism. It was a sensitive area, owing to the fact that the current in the canal was not strong and the exchange of water with the Adriatic Sea was low. As a result of this, the ecological situation in the bay was sensitive and would react quickly to any negative environmental impact. The Mali Ston canal and the bay of Neum was, in the eyes of many environmentalists, a natural reserve and many international environmental associations were interested in protecting the area.

10. Against the background of this information, as well as of related contacts, the Co-Chairmen discussed with President Tudjman, on 18 September 1993, the possibility of the Republic of Croatia granting a 99-year lease to enable a port to be built in Ploce for the use of the Muslim-majority Republic. After consideration of various options, President Tudjman accepted that a draft lease-agreement be prepared.

11. At the meeting on HMS *Invincible* on 20 September 1993, the following agreements were reached:

(*a*) The Muslim and Croat parties agreed on the establishment of an exit to the sea for the Muslim-majority Republic through the Croat-majority Republic via the Access Authority Throughway from Poplat to Neum and for the Muslim-majority Republic to hold a tract of land on the shore of the

Adriatic on the isthmus of Kosa (Klek) and establish a joint authority between the two Republics to develop the tourist industry in that area.

(*b*) The Croat and Muslim parties agreed that a port facility for the Muslim-majority Republic should be between Visici and Celjevo on the Neretva, capable of taking vessels transshipping from Ploce and also directly from other ports in the Adriatic, and that the southern border of the Muslim-majority Republic should be moved down from Recice to just above Visici. Initially there would be an Access Authority Throughway along the road from Recice to Tasovcici and to the turn-off to Celjevo. The land for the port would be defined as being south of the houses along the road to Celjevo, west of the houses along the road to Vesici, to the north of the built-up area of Visici and then following the east bank of the Neretva River. If the port was developed, the Muslim-majority Republic would be expected to build a flyover at the Celjevo crossroad and a new road along an agreed route to Recice, avoiding as far as possible existing settlements, and this road, with the land one half a kilometre on either side, and the port area would be part of the Muslim-majority Republic.

(*c*) The Republic of Croatia agreed to a 99-year lease for a separate port facility for the Muslim-majority Republic at the port of Ploce. The details governing this port facility are set out in the agreement to be concluded between the Republic of Croatia and the Union of Republics of Bosnia and Herzegovina as set out in the appendix to the present report.

(*d*) It was further agreed among the parties that, as soon as relations between the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) were normalized, there should be a treaty covering an exchange of territory involving also the Union of Republics of Bosnia and Herzegovina to take account of the need for strategic assurances for Dubrovnik and of the strategic importance of Prevlaka to the Bay of Kotor, the need for the Serb-majority Republic to have access to the sea in the area between Ostri Rt and Molunat, and the need for the Republic of Croatia to be compensated with territory so that there would be no net loss of territory to the Republic of Croatia.

III. TERRITORIAL ISSUES

12. As the Co-Chairmen stated in their report of 1 September, the Serb and the Croat sides have maintained the view that they have already made many concessions on territorial issues to the Muslim side on the understanding that the peace package of 1 September was final. They have stated categorically that, if the peace package is not signed soon by the Muslim side, they would withdraw their concessions.

13. Notwithstanding this, the Co-Chairmen continued to explore with the parties avenues for arriving at an agreed settlement. During the meeting held on HMS *Invincible* on 20 September the following further agreements were reached on territorial issues:

(*a*) As part of the arrangements to provide a port facility for the Muslim-majority Republic, the southern border of the Muslim-majority Republic will be moved down from Recice to just above Visici;

(*b*) The Serb side agreed that the Muslim-majority Republic should have an additional area of land along the banks of the Drina River between Gorazde and Visegrad.

IV. OBSERVATIONS

14. In the light of the agreements reached on access for the Muslim-majority Republic to the Adriatic Sea and of the addition of territory for the Muslim-majority Republic, President Izetbegovic stated at the meeting on 20 September that he would put the peace package to an extended meeting of the Parliament of Bosnia and Herzegovina to be held on Monday, 27 September.

APPENDIX

Agreement between the Republic of Croatia and the Union of Republics of Bosnia and Herzegovina granting the Union access to the Adriatic through the territory of the Republic of Croatia

The Republic of Croatia
and
The Union of Republics of Bosnia and Herzegovina

Considering that it is desirable that Union of Republics of Bosnia and Herzegovina (hereinafter the "Union") and in particular the Muslim-majority Republic have assured and unrestricted access to the Adriatic Sea on the surface and in the air through and over the territory of the Republic of Croatia (hereinafter "Croatia"),

HEREBY AGREE AS FOLLOWS:

Article 1

(*a*) Croatia shall lease to the Muslim-majority Republic for the duration of this Agreement the plot of land within the Port of Ploce, including the docks and the parts of the harbour pertaining thereto described in Annex A hereto (hereinafter referred to as the "Leased Area");

(*b*) Croatia agrees that the Leased Area shall enjoy the status of a free zone, in which no duties or taxes imposed by Croatia shall apply.

Article 2

(*a*) Croatia shall allow access to and from the Leased Area:

- (i) By ships from the Adriatic Sea, through the territorial waters of Croatia, subject to such ships complying with any applicable international regulations;
- (ii) By ships or barges up the Neretva River up to the point where that River enters the territory of the Muslim-majority Republic;
- (iii) By railroad on the line between Ploce to Sarajevo up to the point where that railroad line enters the territory of the Union;
- (iv) By road between Ploce to Sarajevo up to the point where that road enters the territory of the Union.

(*b*) Ships, barges, railroad cars, and trucks and other road vehicles using the routes referred to in paragraph (*a*) that carry the flag of the Union or are marked by an emblem of the Union or of the Muslim-majority Republic shall not be entered or inspected by any public authority of Croatia.

(*c*) Limits on the sizes and specifications of the characteristics of the ships, barges, railroad cars and trucks and other road vehicles referred to in paragraph (*b*) and of the volume of traffic on the routes referred to in paragraph (*a*) may be set by the Joint Commission established in accordance with article 4.

(*d*) Should the limits set in accordance with paragraph (*c*) restrict the volume of traffic that the Muslim-majority Republic considers it necessary to maintain, then it may, at its cost and in accordance with plans approved by the Joint Commission, arrange for the capacity of the routes referred to in paragraph (*a*) to be increased.

(*e*) With respect to any traffic of persons or goods carried out pursuant to this article, all responsibilities for compliance with international laws and obligations shall be assumed by the Muslim-majority Republic or the Union.

Article 3

Croatia grants to the Union and in particular to the Muslim-majority Republic the right to authorize any types of aircraft to overfly the territory of Croatia, including its territorial waters, along the corridor specified in annex B hereto, subject to such aircraft complying with any applicable international air traffic regulations.

Article 4

(*a*) The Parties hereby establish a Joint Commission to assist in implementing the present Agreement by:

- (i) Establishing any rules and standards required for implementing the agreement, and in particular article 2 (c), including for any construction;
- (ii) Arranging for any monitoring required to prevent abuses of the Agreement;

(iii) Settling, subject to article 6, any disputes regarding the interpretation or the application of the Agreement

(*b*) Croatia and the Muslim-majority Republic shall appoint three members each to the Joint Commission and they shall by joint agreement appoint three more members, one of whom shall be the Chairman. If no agreement can be reached on one or more of the joint appointments within three months, the Secretary-General of the United Nations shall make those appointments at the request of either party.

(*c*) The Joint Commission shall adopt its own rules of procedure. Its decisions shall require five concurring votes.

Article 5

The present Agreement is without prejudice to any rights or obligations flowing from the Preliminary Agreement between the Parties hereto for implementing the 1965 Convention on the Transit Trade of Land-Locked States or any agreement that may be concluded between the Parties to implement or to supersede that Preliminary Agreement.

Article 6

Unless otherwise agreed, any legal dispute concerning the interpretation of this Agreement may be submitted by either Party to the International Court of Justice.

Article 7

(*a*) This Agreement shall remain in force for a period of 99 years, except as otherwise agreed by the Parties.

(*b*) Should the Union be dissolved, it shall be succeeded as a Party to this Agreement by the Muslim-majority Republic.

DONE this _________ day of _________ 1993, in _________ in three copies, each in the English, Croatian and Serbian languages, which shall be equally authentic.

DOCUMENT S/26487

Letter dated 24 September 1993 from the representative of Georgia to the President of the Security Council

[*Original: English*]
[*26 September 1993*]

I have the honour to transmit to you herewith the text of a statement of 23 September 1993 of the Ministry of Foreign Affairs of the Republic of Georgia.

I should be grateful if you would circulate this statement as a document of the Security Council.

(*Signed*) Peter CHKHEIDZE
Permanent Representative
of Georgia
to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

A continued escalation of the military action unleashed by the separatists in violation of the Sochi cease-fire agreement of 27 July 1993 is taking place. It is particularly outrageous that the attack on inhabited areas in the conflict zone is being conducted after thousands of refugees who trusted in a peaceful settlement of the conflict had returned to the place of their birth.

As a result of the use of heavy military equipment by the Gudauta separatists, the civilian population is coming under concentrated fire, and Georgians, Abkhaz, Russians and Armenians are dying. The Republican hospital and the maternity ward in Sukhumi have been destroyed.

On 19 September, after capturing the village of Akhaldaba, the Abkhaz forces carried out a massacre in which 60 civilian inhabitants of the village, mainly women and children, were shot on the spot. The fate of the 600 people - elderly persons, women and children - driven into the Akhaldaba stadium is as yet unknown.

On 21 September, at 4.25 p.m., a TU-134 civilian aircraft from the Sukhumi air unit, on a flight from Sochi to Sukhumi, was hit, 5 kilometres from Sukhumi airport and at an altitude of 300 metres, by a heat-seeking missile fired from an Abkhaz gunboat. As a result of this barbaric act 21 passengers, including a child in arms, were killed, as well as the six members of the crew.

On 22 September, at 5.50 p.m., a TU-154 civilian airliner carrying supplies and medications to the besieged town was shot down by the same gunboat while landing at Sukhumi airport. The crew was able to land the blazing aircraft, but a tragedy could not be avoided, and 46 passengers died.

The Ministry of Foreign Affairs of the Republic of Georgia registers a strong protest against such barbaric actions, which nullify all the efforts aimed at a renewal of the peace process, and calls on the world community and international organizations to condemn the outrages committed by the Gudauta authorities and to qualify these actions as a gross violation of human rights and a crime against peace and humanity.

DOCUMENTS S/26488 AND ADD.1

Report of the Secretary-General

DOCUMENT S/26488

[*Original: English*]
[*24 September 1993*]

INTRODUCTION

1. The present report is submitted to the Security Council in pursuance of resolution 846 (1993) of 22 June 1993. By paragraph 9 of that resolution, the Council urged the Government of Rwanda and the Rwandese Patriotic Front (RPF) to conclude a comprehensive peace agreement. Paragraph 11 of the same resolution requested me to report on the contribution the United Nations could make to assist the Organization of African Unity (OAU) in the implementation of such an agreement and to begin contingency planning in the event that the Council decided that such a contribution was needed.

2. In my last report on Rwanda [*S/26350*], I informed the Security Council that the peace agreement between the Government of Rwanda and RPF had been signed at Arusha (United Republic of Tanzania) on 4 August 1993. I indicated that the Government of Rwanda and RPF had called for the establishment of a neutral international force to facilitate the implementation of the peace agreement. I informed the Security Council that I had decided to send a reconnaissance mission to Rwanda, in order to examine the functions that such a force could perform and to assess the human and financial resources that would be needed to carry them out. I stated that, in addition to Rwanda, the mission would also visit Dar-es-Salaam and Addis Ababa for consultations with the

Government of the United Republic of Tanzania and the Secretary-General of OAU.

3. The reconnaissance mission, comprising officials of the Department of Political Affairs, the Department of Peace-keeping Operations, the Department of Humanitarian Affairs and the Office of the United Nations High Commissioner for Refugees (UNHCR) visited Rwanda from 19 to 31 August. Its senior officials visited Dar-es-Salaam on 1 and 2 September and Addis Ababa on 3 September.

I. THE ARUSHA PEACE AGREEMENT

The Council's attention is drawn to the provisions of the Arusha peace agreement and to those of its six protocols that are relevant to the Council's consideration of the contribution the United Nations could make towards the implementation of the Agreement [*see S/26350, para. 20*].

5. The Protocols of Agreement on Power-sharing provides that the institutions for the transitional period, up to the elections for a democratically elected Government, will comprise a broad-based transitional Government with the participation of all main political parties. The major parties identified in the agreements are the Mouvement républicain pour la démocratie et le développement (MRND), RPF, the Mouvement démocrate républicain (MDR), the Parti social démocrate (PSD), the Parti libéral (PL) and the Parti démocrate chrétien (PDC). The national Transitional Assembly will be composed of members appointed by the various political parties.

6. Article 7 of the agreement provides that the transitional institutions will be set up in Kigali 37 days after the signing of the Agreement, i.e. on 10 September 1993. However, this was based on the assumption that a neutral international force would be deployed by that date and that, with the arrival of that force, foreign troops stationed in Rwanda would withdraw. At that point, in accordance with the Agreement, RPF would deploy a battalion in Kigali to ensure the protection of its political leaders and to enable them to participate fully in the transitional institutions.

7. The Protocol of Agreement on Miscellaneous Issues and Final Provisions states that the duration of the transitional period will be 22 months, with the possibility of one extension, which would have to be approved by a majority of 60 per cent of the Transitional Assembly.

8. The Protocol on the Integration of the Armed Forces of the Two Parties, including the Gendarmerie, specifically requests the assistance of a neutral international force led by the United Nations in the disengagement, disarmament, demobilization and retaining of the military personnel of the parties to be integrated in the national army. It also calls on the establishment of such a force to ensure the overall security of the country, especially the capital city of Kigali, as well as the protection of the expatriate community, and security of the continued distribution of humanitarian assistance.

9. The Protocol defines the neutral international force as a United Nations-led force, integrating as necessary the current OAU Neutral Military Observer Group (NMOG II) and made up of countries representing a cross-section of the international community. The NMOG I force, made up of 50 personnel from OAU countries, monitored the cease-fire from July 1992 to July 1993. In early August 1993, the force was replaced by the NMOG II force, which is currently made up of 132 personnel from OAU member countries.

10. The Protocol on the Repatriation of Refugees and the Resettlement of Displaced Persons calls for the involvement of the United Nations in the repatriation of refugees and is elaborated upon below (see sect. III C).

II. ACTIVITIES OF THE RECONNAISSANCE MISSION

11. During its visit to Rwanda, the mission was led by Brigadier General Roméo A. Dallaire (Canada), Chief Military Observer of the United Nations Observer Mission Uganda-Rwanda (UNOMUR). Between 19 and 31 August, the mission held consultations with the President of Rwanda, General Juvénal Habyarimana, and with the Chairman of RPF, Colonel Alexis Kanyarengwe, as well as with other senior members of the Government and RPF, including Mrs. Agathe Uwiliugiyimana, current Prime Minister, Mr. Faustin Twagiramungu, Prime Minister-designate of the broad-based transitional Government, and Mr. Paul Kagamé, Vice-Chairman of RPF and Commanding Officer of its armed forces. The mission also met with members of the diplomatic community accredited to Rwanda, with representatives of United Nations agencies and programmes and with non-governmental organizations (NGOs) executing humanitarian projects in the country. The reconnaissance mission also met with the OAU representative in Rwanda and the Commanding Officer of NMOG II.

12. During their visit to Dar-es-Salaam and Addis Ababa, the senior officials of the reconnaissance mission were joined by Mr. Macaire Pédanou, my Special Representative at the Arusha peace talks. They held consultations with President Ali Hassan Mwinyi and other high officials of the Government of the United Republic of Tanzania and, in Addis Ababa, with Mr. Salim Ahmed Salim, the Secretary-General of OAU, and his senior staff.

13. One of the major points raised by all those with whom the mission met related to the deployment of a neutral international force by 10 September, the date set in the Peace Agreement for the installation of the transitional institutions in Kigali. The concern of all parties was that, should the neutral international force not be deployed in a timely manner, a political vacuum might occur if the transitional Government was not established in Kigali. The mission responded by clarifying the decision-making process at the United Nations and by stressing that the dispatch of a peace-keeping force to Rwanda would depend on a final determination by the Security Council. President Habyarimana felt that it would be dangerous and hazardous to set up the transitional Government before the arrival of the neutral international force and emphasized that such a force should be strong enough to be credible. For his part, Colonel Kanyarengwe, Chairman of RPF, stated that it was imperative that the security of RPF be ensured by the United Nations and expressed his concern that the vacuum caused by the absence of a United Nations peace-keeping mission might be filled by paramilitary groups in the country.

14. After the reconnaissance mission explained that it would not be realistic to expect the deployment of the proposed neutral international force by 10 September, a number of alternative measures were put forward by the parties and OAU. In addition, the role that an enlarged NMOG might play in the implementation of the agreements was discussed. In this connection, it should be noted that the OAU Secretary-General explained to the mission that he was planning to enlarge NMOG II to a total of approximately 240 all ranks, and that OAU did not have the resources to sustain a larger force. Mr. Salim pointed out that, even for the enlargement of NMOG II to the size of a company, OAU would have to rely, for logistic support, on the contributions of the donor countries which had assisted in the establishment of NMOG I. Most importantly, Mr. Salim informed the mission that the mandate of NMOG II would necessarily be confined to monitoring the cease-fire.

15. Mr. Salim recalled that the mandate of NMOG II would expire on 31 October 1993, adding that if the Security Council authorized United Nations involvement in the implementation of the peace agreement, the expeditious deployment of a United Nations peace-keeping force would be essential. With regard to the possible

integration of NMOG II into such a force, Mr. Salim expressed the view that the United Nations would have to work out arrangements directly with troop-contributing countries.

16. It was also suggested that, since it was not feasible to meet the expectations of the two parties with regard to the deadline of 10 September for the installation of the transitional institutions, the United Nations should reassure the Rwandese people by giving a positive signal regarding its willingness to contribute to the restoration of peace and national reconciliation in Rwanda. In this connection, in a statement issued on 10 September [*S/26425*], the President of the Security Council pointed out that the Council was aware of the hopes the Rwandese parties entertained regarding the assistance that the international community would provide for the implementation of the Arusha peace agreement. The President of the Council in his statement also urged the parties to continue to honour the Arusha agreement in accordance with their commitments.

17. Many of those with whom the reconnaissance mission held consultations, including representatives of the diplomatic community, felt that the Arusha accords constituted the best way for the Rwandese people to work together towards peace and stability. They also stressed the urgency of implementing those accords so that the people of Rwanda could proceed with the challenging tasks of reconstruction and economic development. The mission reported that most Governments represented in Rwanda also anxious to see a sound economic recovery programme instituted expressed their willingness to assist the Rwandese people in carrying out the task of economic recovery.

18. During its stay in Rwanda, the reconnaissance mission visited the areas controlled by RPF in the north, as well as government military positions and outposts. It carried out a detailed survey of the forces of the parties, including their respective structures and equipment, troop dispositions and topography, by land and by air. It received detailed briefings from the NMOG II Commander on the present status and role of NMOG II in Rwanda.

19. The mission discussed with the parties the tasks envisaged for the neutral international force in the Arusha Agreement in order to determine the contribution that could be made by the United Nations. In particular, the mission undertook an assessment of the essential requirements that would enable the proposed force to execute its monitoring functions in Rwanda. This included an assessment of the following areas: cease-fire compliance in the demilitarized zone (DMZ), establishment of cantonment and assembly areas for weapons and personnel, mine-clearance, security of humanitarian aid efforts, return of the refugees and displaced persons, disarming and demobilization of armed personnel and restructuring of the Rwandese Defence Forces and the Gendarmerie.

20. In regard to relief assistance, the mission worked out arrangements that could enhance the various aspects of ongoing humanitarian activities described below (see sect. III C).

III. UNITED NATIONS CONTRIBUTION

A. *Military aspects*

21. The main provisions of the Arusha peace agreement relevant to the proposed United Nations peace-keeping mission (herein referred to as "the Mission") are contained in the Protocol on the Integration of the Armed Forces and the Gendarmerie. The principal functions of the Mission could be grouped in four categories: (*a*) to assist in ensuring the security of the city of Kigali, (*b*) to monitor the cease-fire agreement, including establishment of an expanded DMZ and demobilization procedures, (*c*) to continue to monitor the security situation during the final period of the transitional Government's mandate leading up to the elections, and (*d*) to assist with mine-clearance, including training and mine-awareness programmes.

22. Under article 64 of the Protocol on the Integration of the Armed Forces, the Mission would also be charged with the task of undertaking investigations either on complaints from the parties or on its own, of alleged non-compliance with any of the provisions relating to the agreement. In addition, the Mission would be called upon to provide security for the repatriation of Rwandese refugees and displaced persons.

23. To ensure the effective conduct of the Mission's responsibilities, the Protocol calls for close cooperation and continuing consultations between the Force Commander, or his representative, the new Rwandese Defence Forces High Command Council and the "Conseil de Commandement de la Gendarmerie Nationale". This will be ensured through the holding of regular joint working sessions at all relevant command levels.

Concept of operations

24. The Mission would be based on the concept of operations described below.

25. Owing to the presence of several battalions of government forces in Kigali and the introduction into the city of the RPF leadership with a fully equipped RPF battalion, the Mission would establish a weapons secure area in and around Kigali. This zone would be defined as an area of approximately 10 kilometres in radius from the centre of Kigali within which the military units would be required to store their weapons and ammunition, except in those cases previously agreed to by all parties. The security of the city would be accomplished in four ways. First, the Mission would deploy an infantry battalion throughout the Kigali area with the aim of providing security for the international airport, the RPF battalion compound and government buildings and to assist in the recovery of arms from civilians. The battalion would require a wheeled armoured personnel carrier (APC) company for emergency deployment both in Kigali and in the expanded DMZ. Secondly, the Mission would monitor and verify the securing of weapons and the movement of all forces from both parties in the Kigali sector through the use of infantry and military observers. Thirdly, in monitoring the activities involved in the establishment of the new Integrated Rwandese Defence Forces and Gendarmerie, the Mission would deploy liaison officers to the headquarters of these new forces. Fourthly, the Mission would take appropriate measures, as necessary, to assist in providing security for members of the transitional Government.

26. The Mission would monitor the cease-fire Agreement through verification and control of the expanded DMZ and by the concentration, disarming, demobilization and integration of troops of both the parties and the Gendarmerie. This would be achieved by the deployment of military observers and a second infantry battalion (in addition to the two existing infantry platoons of NMOG II) in the DMZ and at the assembly points, cantonment points and integrated training centres. In accordance with the peace agreement, the responsibility for the identification of assembly zones, and thus the demarcation of the new DMZ, would rest with the Mission. A key task for the Force Commander would therefore be to confirm the proposed assembly zones, assembly points, cantonment points, integrated training centres and the demarcation of a new DMZ, in accordance with the agreement. From a total of 48 assembly and cantonment points and integrated training centres proposed by the two parties, the reconnaissance mission recommended that the number be reduced, subject to review by the Force Commander, to approximately 26 assembly and cantonment points and integrated training centres.

27. The reconnaissance mission conducted a survey of all armed forces in the country. The Rwandese Government declared it had an effective strength of 23,100 personnel deployed essentially in the northern part of the country and in the Kigali area. The RPF forces declared a strength of approximately 20,000 personnel concentrated north of the current DMZ. It was reported that the government Gendarmerie is made up of 6,000 personnel deployed essentially in the front lines. RPF does not have a gendarmerie. According to the Protocol, the process of demobilization of all of the forces and the Gendarmerie, and the subsequent training and integration of up to 13,000 personnel for the new National Army and 6,000 personnel for the new National Gendarmerie, is to be completed over a seven to nine month period. This process would commence on a date agreed to by the Mission and the transitional Government. The possible need to assist the parties with transporting their personnel, constructing shelters to accommodate the assembled troops and resupplying and/or feeding them would require special attention.

28. The approximately 35,000 (31,000 soldiers and 4,000 Gendarmerie) demobilized personnel who would not form part of the new Rwandese Defence Forces and Gendarmerie would benefit from vocational retraining and employment, in accordance with the agreement, under the auspices of the Rwandese Ministry of Rehabilitation and Social Reintegration and with the assistance of the United Nations programmes and agencies and NGOs.

29. The reconnaissance mission recommended that the Mission should have the capacity to provide escort and protection for humanitarian activities, as required, until relieved by the new Rwandese Defence Forces and Gendarmerie. It was also recommended that the Mission conduct essential force-related mine clearance. An overall mine-clearance programme is described below (see sect.III C).

30. The effective execution of the Mission's tasks, as well as the rate at which they can proceed, depends not only upon the timely availability of resources, but also on the capacity of the local infrastructure (roads, fuel supply, power supply, communications, warehousing space and personnel accommodation), as well as the Mission's repair and maintenance capabilities. Taking into account the state of the existing infrastructure in Rwanda, it would be essential for an engineer company to be deployed expeditiously to assist in restoring basic infrastructure, including roads and bridges necessary for the work of the Mission.

Proposed Force structure

31. The military observers of UNOMUR, established under Security Council resolution 846 (1993), would come under the command of the United Nations Mission in Rwanda, while maintaining their monitoring tasks on the Uganda/Rwanda border. The Mission would incorporate elements of the NMOG II forces already in place in the current DMZ (see annex I) under its command at the earliest opportunity.

32. The Mission's operations would be divided into five sectors. There would be a Kigali sector and a DMZ sector. Two other sectors would be located with the government forces and RPF forces respectively. UNOMUR would constitute the fifth sector. The Mission would be supported by engineer, aviation, communications and medical units, as well as by the necessary logistic and administrative staff. The Mission's Force headquarters would be located in Kigali.

33. A Military Observer Group headquarters would be responsible for command and control of the Military Observer Sectors and for administering all military observers in theatre. It would consist of a total of 20 military observers and would be comprised of the traditional branches of military staff.

34. The Government forces, RPF forces and UNOMUR Sectors would be composed entirely of United Nations military observers. These three Sectors, through their military observer teams, would be responsible for monitoring the implementation of the Protocol of Agreement on the Integration of the Armed Forces of the two parties. The military observer Sectors would be responsible for, *inter alia*, the following tasks: monitoring the observance by the two parties of modalities for the definite cessation of hostilities as provided for in the peace Agreement; monitoring the assembly zones and the preparation and maintenance of assembly and cantonment points; verifying the disengagement of forces, the movement of troops to assembly points and of heavy weapons to cantonment points; monitoring discipline of troops inside and outside assembly points; verifying inventories of weapons and ammunition of the two parties and monitoring operations for the separation of heavy weapons from light weapons; verifying the identification of military personnel in the assembly points; verifying the distribution of non-lethal supplies to troops in assembly points; monitoring the security of troops in the integrated training centres and monitoring the operations for the demobilization of servicemen and gendarmes.

35. The Kigali and the DMZ Sectors would each consist of an infantry battalion and military observers, who would perform tasks similar to those described in paragraph 34, as well as assist in arms recovery and verification through the use of checkpoints and patrols and in providing security at assembly and cantonment points. The DMZ Sector would also take under its command the two NMOG II platoons currently serving in Rwanda.

36. The two infantry battalions (800 all ranks each) must be capable of supporting themselves for at least 60 days. They would each consist of a heavy logistics company and four rifle companies.

37. The Mission would also need an engineer company consisting of 203 personnel which would be responsible, *inter alia*, for supervising the rehabilitation and repair of basic infrastructure to meet the Mission's operational requirements and for undertaking essential demining tasks, including explosive ordnance disposal.

38. The Mission's support elements would consist of a helicopter unit of 40 personnel and four utility helicopters and a light twin-engine aircraft, a movement control section of 20 personnel, a logistics company of 200 personnel and a medical platoon of 50 personnel.

Deployment schedule

39. The military personnel of the Mission would be deployed progressively as shown in annex II and would conduct the operation in four phases.

40. Phase 1 would commence on the day on which the Security Council adopts the enabling resolution and would end on D-Day, the day on which the transitional Government is installed in Kigali. Given the time required to establish and deploy the proposed Mission, it is estimated that the transitional Government may not be installed until the end of 1993. The objective of this phase would be to establish the essential conditions needed to permit the secure installation of the transitional Government. The necessary command and control, service support, infrastructure and equipment would be put in place. This would require the immediate deployment of the military planning staff of the Mission headquarters (including approximately 25 military, 3 civilian police and 18 civilians). This phase would also see elements of the expanded NMOG II and UNOMUR observers continuing their respective mandates in the DMZ and on the Uganda-Rwanda border, but under command of the Mission. By the end of phase 1, the strength of the Mission would number a total of 1,428 military personnel, of whom 1,217 would be

staff officers and formed troops and 211 would be military observers (including 77 military observers from UNOMUR and 54 from NMOG II).

41. Phase 2 would commence on D-Day and last until D-Day+90 or when the process of disengagement, demobilization and integration of the Forces and Gendarmerie begins. This phase would see the continued build up of the Mission to its peak strength. The expanded NMOG II and UNOMUR would be fully integrated as entities into the Mission and would continue to discharge their mandates. The major activities during this phase would be to continue monitoring the DMZ and the Uganda-Rwanda border and assisting in providing security in Kigali, the demarcation of the assembly zones, monitoring the modification of the DMZ and ensuring that all preparations for the disengagement, demobilization and integration process are in place. While the agreement did not specify a date for the start of the demobilization process, it did estimate that one month would be required to set up the support elements needed to conduct this operation. However, the reconnaissance mission's estimate is that two to three months would be required to ensure that the infrastructure needed for demobilization is in place. By the end of this phase, the strength of the Mission would include a total of 2,548 military personnel, of whom 2,217 would be staff officers and formed troops and 331 would be military observers.

42. Phase 3 would commence on D-Day+90, or when the disengagement, demobilization and integration process begins, and would last until D-Day+360, or when the process is completed. During this phase, the Mission would establish, supervise and monitor the new DMZ with a second infantry battalion, and would continue to monitor the Uganda-Rwanda border. It would establish approximately 26 assembly/cantonment points and integrated training centres, monitor the movement of large bodies of military personnel in and through the DMZ and assist in maintaining general security in the country. Security would also continue to be provided in Kigali. By the end of this phase, the strength of the Mission would be in the process of reduction to approximately 1,240 all ranks.

43. Phase 4 would commence on D-Day+360, or when the disengagement, demobilization and integration process is completed. This phase would last about 10 months. It would see the further reduction of the Mission's strength to the minimum level needed to assist in ensuring the secure atmosphere required in the final stages of the transitional period leading up to the elections. During this phase, the monitoring of the DMZ and of the Uganda-Rwanda border would cease. The residual strength of the Mission would amount to approximately 930 military personnel, of whom 850 would be staff officers and formed troops and 80 would be military observers.

B. *Civilian police*

44. The Arusha peace agreement calls on the United Nations to assist in maintaining public security through the monitoring and verification of the activities of the Gendarmerie and Communal Police.

45. The law and order situation during the transitional phase would be dependent on several internal security considerations: possible political and ethnic tensions; the potential for a dramatic rise in armed banditry after the demobilization of the forces of the parties; the easy availability of weapons; the possible disruption of the humanitarian aid effort; and the inability of local agencies to cope effectively with rising crime in the country, particularly in Kigali.

46. In accordance with the Protocol on the Integration of the Armed Forces, the Gendarmerie would be reduced from a strength of approximately 6,000 to a strength of 1,800 during the demobilization phase. All members of the Gendarmerie would be screened, along with RPF candidates, for positions in the new Gendarmerie or for complete demobilization into the community. The Gendarmerie would subsequently be reconstituted with a maximum force level of 6,000 all ranks.

47. In order to verify that law and order are maintained effectively and impartially, a small United Nations civilian police unit, headed by a Police Commissioner, would be deployed in Kigali and the nine prefecture capitals and in specific police installations. It is estimated that a total of 60 police officers would be required. The police unit would consist of a headquarters of 10 officers, including a special investigation team, a Kigali district consisting of 20 personnel, and a provincial district consisting of monitoring teams for each of the prefectures (except Kigali), requiring a total of 30 personnel.

C. *Humanitarian assistance*

48. In addition to the provisions of the Protocol on Rwandese Refugees and Displaced Persons, both the Government and RPF have indicated that international assistance will be essential in bringing about the successful implementation of the peace agreement. Humanitarian agencies will continue to provide assistance based on the principle of humanity, neutrality and impartiality.

49. By March 1993, a total of 900,000 people, or approximately 13 per cent of the nation's population, had been displaced. The Secretary-General launched a consolidated appeal in April 1993 to meet the emergency needs of these displaced people. The international community has made cash and in-kind contributions of up to US$ 100 million since January 1993. With the signing of the peace agreement, it is estimated that some 600,000 individuals have already returned to their homes. With their return, the emergency situation that arose earlier in the year has eased. For the estimated 300,000 people who remain displaced and continue to rely on emergency assistance in the camps, such assistance will continue to be provided.

50. If a United Nations operation is deployed in Rwanda, humanitarian assistance would need to be coordinated with the Mission's activities. Currently, the United Nations Resident Coordinator ensures coordination among United Nations agencies, and with the donor community and NGOs. He will continue to do so during the transitional period.

51. As a result of the decision of the Governing Council of the United Nations Development Programme (UNDP) in February 1993 on its programme for Rwanda, UNDP and the United Nations Department of Humanitarian Affairs will hold a Round-table Meeting on humanitarian assistance, which will include aspects of demobilization and reconstruction, in early 1994. In addition to local fund-raising efforts, the meeting will provide an excellent opportunity to solicit support from a larger number of donors and to inform them of the latest situation in the country. I hope that the donor community will continue to respond favourably to the financial needs in the humanitarian sector.

52. Regarding assistance to demobilized soldiers, a comprehensive programme catering to their needs is being studied using previous United Nations peace-keeping experience in other regions. The United Nations is encouraging the donor community to examine the possibility of pooling resources for the preparation and implementation of such a programme.

53. Finally, regarding the Rwandese who have taken refuge in neighbouring countries, the starting point of the implementation of

the activities envisaged for the repatriation and reintegration of the returnees is the establishment of the transitional Government. UNHCR has been coordinating refugee activities and has been making advance preparations in the countries of asylum. The return of refugees will be regulated through tripartite agreements among country of origin, country of asylum and UNHCR. The establishment of national committees for repatriation and local integration is also foreseen, as is the establishment of a Commission for Repatriation under the transitional Government.

54. It has been recommended that an information campaign be launched both in the countries of asylum and in Rwanda to promote the provisions of the peace agreement. Information relating to refugees and the options offered to them (repatriation, naturalization or to remain as aliens), should also be part of this information campaign.

55. Mine-clearance has been earmarked as a priority to ease the constant threat to the lives of the displaced persons. It has also been pointed out that, with their removal, a more direct access by humanitarian agencies to areas needing assistance would be possible. This requirement is specifically addressed in article 40 of the Protocol on Refugees and Displaced Persons.

56. It has been estimated that a mine-clearance programme would be confined to a small area of the northern part of the country. The most serious mine problem however, would be the location and detection of mines in tea and banana plantations, as well as on open grassland and on tracks. At present, land mines already pose a serious threat to the local population. This threat will continue to increase as displaced persons return to their villages.

57. The reconnaissance mission recommended that the United Nations initiate a mine-clearance programme, including a survey of existing locations, a mine-awareness campaign for displaced persons and refugees and a training programme in mine deactivation for the government and RPF engineer forces. An engineer element should be included within the military component to provide a local mine-clearance capability on routes necessary to the Mission's operations. In addition, should the training programme for both parties be deemed unworkable or unsafe, a professional mine-clearance company would be subcontracted as has been the practice in other peace-keeping missions.

58. There will be a need to continue substantial humanitarian assistance activities in the future. The United Nations Resident Coordinator will continue to serve as the coordinator for these activities, working in close cooperation with all relevant organizations of the United Nations system. It is anticipated that a capacity would be established in the Mission for liaison and coordination with the humanitarian assistance programme, in particular with respect to adequate security as may be necessary for the distribution of humanitarian relief supplies and the process of demobilization and reintegration of armed forces into society.

D. *Administrative aspects*

59. The Mission would require an administrative component based in Kigali, with two regional offices. One regional office would be located in the northern city of Byumba. The second would be in Kabale, which is the present headquarters of UNOMUR. The administrative component would provide necessary support in areas of personnel, finance, procurement, communications, travel, compensation, translation and interpretation, electronic data processing, etc. In order to provide information to the general public on the activities of the mission, the Mission would seek access to an established radio station.

60. It is estimated that a total of 127 international staff (26 Professional and 101 Field and General Service staff) and 68 locally recruited staff would be required. These figures include the 17 international staff and seven locally recruited staff currently working in Uganda with UNOMUR. The 26 Professional staff would include four political officers, two public information officers, one human rights officer and humanitarian assistance officers.

IV. CONCLUSIONS AND RECOMMENDATIONS

61. In my report of 24 August, I stated that the signing of the Arusha peace agreement had provided the Government of Rwanda and RPF with a political and democratic framework for resolving their conflict. The Agreement gives the international community an opportunity to contribute to the successful implementation of the peace process. In this connection, I should like to acknowledge, with deep gratitude, the continuing efforts of the Facilitator, the President of the United Republic of Tanzania, Mr. Mwinyi, and of the Secretary-General of OAU, Mr. Salim Ahmed Salim, to encourage the parties to abide by the commitments they freely entered into when they concluded the Arusha Agreement.

62. The Rwandese people face extensive hardship and a critical economic situation. There is a strong grass-roots desire to see an end to the destruction and suffering brought about by a protracted conflict. Both sides seem determined to achieve a durable peace through disarmament, demobilization and national reconciliation. At the same time, there is serious concern over the possibility that any inordinate delay in establishing the transitional Government may endanger the peace process. These concerns have been expressed to my reconnaissance mission by the leadership of both sides, the resident diplomatic community in Rwanda, NGOs and, especially, the Secretary-General of OAU. I therefore consider that the United Nations should respond positively to the appeal of the parties for assistance in the implementation of the peace agreement, especially since the mandate of the OAU NMOG II force will terminate by 31 October 1993.

63. The proposed United Nations Mission in Rwanda should be deployed without delay following Security Council authorization in order to allow for the prompt establishment of the transitional institutions. The immediate deployment of an advance party, including the Force Commander, would underscore the determination of the United Nations for the rapid build-up of the military presence needed in Kigali and of the logistic base for deployment of the force. The subsequent introduction of observers and formed units would enable the force to contribute to the implementation of the disengagement, demobilization and integration phase, while providing an adequate level of security and a credible United Nations presence. Finally, the reduction of the military and civilian police components should ensure that the operation is carried out in a cost-effective manner while contributing, at the same time, to the maintenance of the stability required for the period culminating with the elections.

64. The UNOMUR observers currently deployed on the Uganda side of the Uganda-Rwanda border remain a necessary stabilizing factor. It is therefore considered that UNOMUR must continue to monitor that border until the end of the demobilization process. However, UNOMUR's chain of command and future logistics would be integrated into the proposed Mission.

65. I am encouraged by the restraint and desire for a lasting peace and national reconciliation shown by the parties since the signature of the Arusha Peace Agreement. They have demonstrated their goodwill by holding a number of joint informal working groups and by the support they provided to the reconnaissance mission in all

of its fact-finding activities. The two parties also sent a joint delegation to the United Nations, which I met on 15 September. The joint delegation stressed to me the urgency of the establishment of a United Nations force, since the successful implementation of the Arusha Agreement was predicated on its deployment. The delegation emphasized that, unless immediate action was taken to deploy the force, the implementation of the peace agreement would be seriously compromised as a result of the vacuum that would be created. I explained to the joint delegation that the decision regarding the establishment of such a force rested with the Security Council and that, even with the approval of the Council, it could take up to three months for such a force to be fully deployed. Under the circumstances, I urged the parties, in the interim, to respect the commitments they had undertaken in Arusha to work together for national reconciliation and the reconstruction of the country and to strictly adhere to the cease-fire.

66. In the light of the above, I recommend that the Security Council authorize the establishment of a United Nations Assistance Mission for Rwanda, to be known as UNAMIR, with the mandate of contributing to the establishment and maintenance of a climate conducive to the secure installation and subsequent operation of the transitional Government. This operation would be deployed according to the schedule described in section III of the present report.

67. I further recommend that the Security Council urge Member States to support the current United Nations aid effort in Rwanda. UNAMIR and the United Nations Resident Coordinator would closely coordinate their respective activities in this regard.

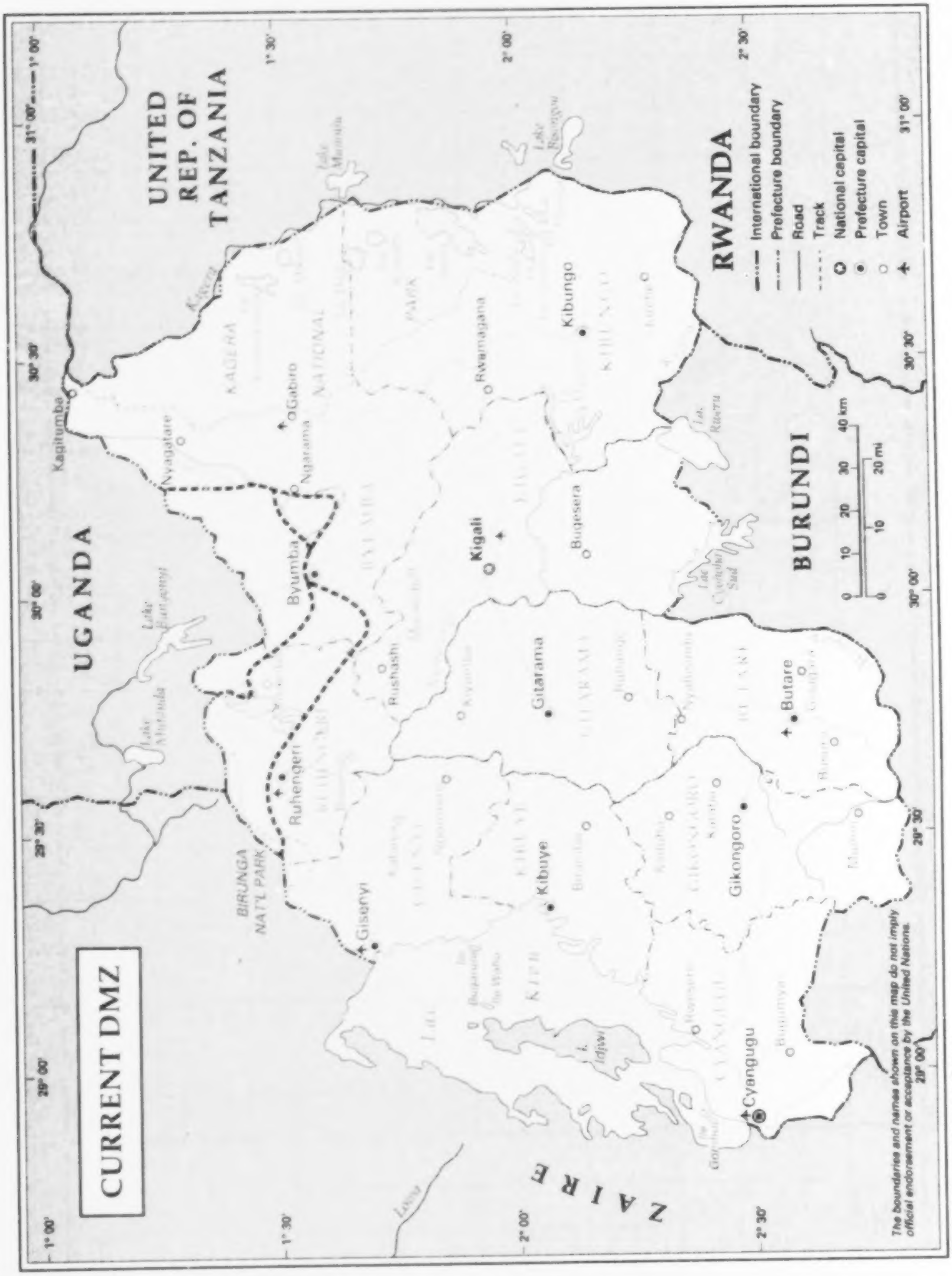
68. Should the Security Council authorize the establishment of UNAMIR, it would be my intention to appoint a Special Representative who would lead the Mission in the field and exercise authority over all its elements. The military component of the Mission would be headed by a Force Commander. The Mission would operate under the command of the United Nations, vested in the Secretary-General under the authority of the Security Council. I would report regularly to the Security Council on the operations of UNAMIR. All matters that might affect the nature of the continued effective functioning of the Mission would be referred to the Security Council for its decision.

69. In accordance with established practice, UNAMIR would need to have freedom of movement, communications and inspection and to enjoy the other rights that would be necessary for the performance of its tasks in Rwanda. UNAMIR and its personnel would also have to be granted all relevant privileges and immunities provided by the Convention on the Privileges and Immunities of the United Nations. Should the Security Council decide to establish UNAMIR, it would be my intention to initiate consultations with the transitional Government with a view to promptly concluding a status-of-forces agreement along the usual lines.

70. In conclusion, I wish to stress that two essential conditions must be met to enable the United Nations to carry out its recommended role in Rwanda successfully and effectively. First, the parties must cooperate fully with one another and the United Nations in carrying out their commitments under the Arusha agreement. Secondly, the United Nations must be provided in a timely manner with the necessary human and financial resources. At a time of unprecedented financial constraints facing the United Nations, it is imperative that Member States be prepared to assume the obligations resulting from the new mandates they entrust to the Organization.

ANNEX I

Current demilitarized zone


CURRENT DMZ
UGANDA
UNITED REP. OF TANZANIA
RWANDA
BURUNDI
ZAIRE
Lake Bunyonyi
Lake Mutanda
Lake Mutara
Lake Rwenyiwe
Lac Kivu
I. Idjwi
Lac Cyohoha Sud
Lac Rweru
Kagera
Lowa
BIRUNGA NAT'L PARK
KAGERA NATIONAL PARK
Kagitumba
Nyagatare
Gabiro
Ngarama
Byumba
Ruhengeri
Gisenyi
Kibuye
Gitarama
Kigali
Rwamagana
Kibungo
Bugesera
Rushashi
Butare
Gikongoro
Cyangugu
BYUMBA
RUHENGERI
GISENYI
KIBUYE
GITARAMA
KIGALI
KIBUNGO
BUTARE
GIKONGORO
CYANGUGU
International boundary
Prefecture boundary
Road
Track
National capital
Prefecture capital
Town
Airport
0 10 20 30 40 km
0 10 20 mi
1° 00'
1° 30'
2° 00'
2° 30'
29° 00'
29° 30'
30° 00'
30° 30'
31° 00'

The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.

MAP NO. 3807.1 UNITED NATIONS
SEPTEMBER 1993

ANNEX II

Deployment schedule and strengths by month - Military component

	PHASE 1 Preparatory			PHASE 2 Broad-based Transitional Government			PHASE 3 Demobilization/integration									PHASE 4 Electoral										
MONTH	10 93	11 93	12 93	1 94	2 94	3 94	4 94	5 94	6 94	7 94	8 94	9 94	10 94	11 94	12 94	1 95	2 95	3 95	4 95	5 95	6 95	7 95	8 95	9 95	10 95	11 95
	M-DAY			D-DAY																						E-DAY
FORCE HQ	43	54													40										30	0
KIGALI SECTOR HQ	15												0													0
KIGALI INF BN		300	800																						675	0
KIGALI UNMOS	15	78				42							0													0
DMZ SECTOR HQ	18					15								0												0
DMZ INF BN					500	800								700	300											0
DMZ PL	60													0												0
DMZ UNMOS	36					18								0												0
UNMO GROUP HQ	20														80										80	0
UNOMUR SECTOR	77														0											0
RPF SECTOR				66		87							51	15	0											0
GOVT SECTOR				51		87							51	15	0											0
ENGR COY		100		203						88			0													0
LOG COY		100		200										89	0											0
MED PL		50													0											0
MOV CTL	20															10									10	0
TOTAL	304 a/	928	1 428	1 748	2 248	2 548				2 433			2 216	1 840	1 240	930									795	0

a/ Of total 191 are already in Rwanda and Uganda with NMOG II and UNOMUR

DOCUMENT S/26488/ADD.1

[*Original: English*]
[*29 September 1993*]

1. In my report of 24 September 1993 to the Security Council [*S/26488*], I recommended, in paragraph 66, that the Council authorize the establishment of a United Nations Assistance Mission for Rwanda, to be known as UNAMIR, with the mandate of contributing to the establishment and maintenance of a climate conducive to the secure installation and subsequent operation of a transitional Government in Rwanda. This operation would be deployed according to the schedule described in paragraphs 39 to 43, of the report.

2. Based on the operational plan and general assumptions outlined in the report, it is estimated that an amount of $62.6 million would be required for a period of six months. This amount includes the costs of start-up and acquisition of capital equipment. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

3. It would be my recommendation to the General Assembly that, should the Security Council agree to the establishment and deployment of UNAMIR, the cost relating thereto should be considered as an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessment to be levied on Member States be credited to a special account to be established for that purpose.

ANNEX

Cost estimates by objects of expenditure
(Thousands of United States dollars)

Objects of expenditure	*Initial six months*
1 Military component	
(*a*) Observers	4 682
(b) Contingent personnel	13 147
(c) Other costs pertaining to contingents	1 536
2 Civilian police	851
3 Civilian staff costs a/	6 956
4 Premises/accommodation	2 700
5 Infrastructure repairs	1 036
6 Transport operations	8 958
7 Air operations	2 530
8 Communications	2 998
9 Miscellaneous equipment	6 868
10 Miscellaneous supplies, services, freight and support costs	7 844
11 Mine-clearing programme	510
12 Programme related to former combatants in the assembly areas	2 002
Total	62 618

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a/ Provides for 127 international staff and 68 locally recruited staff.

DOCUMENT S/26491

Letter dated 24 September 1993 from the representative of Croatia to the President of the Security Council

[*Original: English*]
[*24 September 1993*]

I have the honour to submit herewith a letter dated 24 September 1993 from the Minister for Foreign Affairs of the Republic of Croatia, Mr. Mate Granic, addressed to you.

I would be grateful if you would provide for the distribution of this letter and its annex as a document of the Security Council.

(*Signed*) Mario NOBILO
Permanent Representative
of Croatia
to the United Nations

ANNEX

Letter dated 24 September 1993 from the Vice President and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

I am addressing you at this critical moment when decisions on the future of the United Nations Protection Force (UNPROFOR) in Croatia are to be made, in order to inform the Security Council about the actual position of the Croatian Parliament and the Croatian Government with regard to the report of the Secretary-General dated 20 September 1993 [*S/26470*].

We appreciate the contribution of the Security Council, the United Nations Secretariat and UNPROFOR personnel in peace-keeping efforts on the territory of Croatia. Croatia deeply regrets the losses that the international forces have suffered, and is grateful for their devoted humanitarian effort that benefited citizens of Croatia.

On 23 September 1993 the House of Representatives of the Croatian Parliament considered with utmost care the Secretary-General's aforementioned report, and decided that Croatia cannot accept prolongation of the UNPROFOR mandate on its territory under present circumstances. The Parliament gave its full support to the Government and the President of Croatia regarding their decision to terminate the UNPROFOR mandate in Croatia in its present form. Croatia cannot accept any prolongation of the "peace-keeping" operation that is in fact not keeping peace but preserving the status quo, which is seriously undermining the sovereignty and territorial integrity of Croatia.

The major changes in the UNPROFOR mandate that Croatia desires are based upon existing Security Council resolutions and reports of the Secretary-General. Croatia wants nothing more, but can accept nothing less, than is already inscribed in the Secretary-General's reports, particularly in document S/23280, annex III, also known as the Vance plan and in resolutions 724 (1991), 762 (1992), 779 (1992), 802 (1993), 807 (1993), 815 (1993), 820 (1993) and 847 (1993).

The Croatian Parliament and Government welcome the Secretary-General's readiness to "take steps to implement such a division" [of UNPROFOR] [*ibid., para. 13*], as proposed in the letter by the President of the Republic of Croatia dated 13 September. But at the same time the willingness of the Secretariat to grant Croatia's proposal to separate the UNPROFOR mandate into three independent operations is not sufficient in itself. On the contrary it must be followed by concrete steps mentioned in the four following points, and with strong confidence-building measures such as the reopening of major communication, roads and routes, energy systems and other facilities throughout the United Nations Protected Areas (UNPAs).

With regard to the aforementioned, the Croatian Parliament and Government insist upon the following measures which should be regarded as an essential part of the future of UNPROFOR's presence on the territory of Croatia.

1. All of the military and police units of Serbian insurgents which are operating in the United Nations Protected Areas and pink zones must be "disbanded and demobilized [and] the personnel involved must cease to wear any uniforms and cease to carry weapons" [*S/23280, annex III, para. 15* (b)]. This is the pillar of the Vance plan and in our view the most important step towards peace. UNPROFOR completely failed to fulfil this task and that failure resulted in the continuation of military activities by Serbian insurgents including deliberate shelling of Croatian cities and other civilian targets. The Croatian Government fully shares the view expressed by the Secretary-General that "the first objective of UNPROFOR is to achieve demilitarization and the disbanding of paramilitary and irregular forces" [*S/24188, para. 14*], but at the same time must express its grave dismay that nothing in this regard has been achieved thus far.

The only armed force in the United Nations Protected Areas besides UNPROFOR, should be the local police units, carrying only side arms and which in composition "reflects the national composition of the population which lived in the area concerned before the recent hostilities" [*S/23592, para. 17* (b)]. All of the arms currently used by Serbian insurgents must be destroyed or handed over to the United Nations force for safe custody.

2. Croatia must be allowed to immediately restore its governmental authority in the entire area of the so-called "pink zones". We are prepared to begin "an internationally monitored, step-by-step, reintroduction of Croatian Government authority in such a manner as to minimize the danger of further hostilities and any further destabilization of the adjoining regions" [*S/24188, para. 17*]. Unfortunately the UNPROFOR operation never achieved this goal. Croatia wishes to emphasize the fact that the "pink zones" have never, in any way, been a part of the UNPAs.

Croatia insists upon the full implementation of the Secretary-General's report in particular the part which emphasizes that in the pink zones, "UNCIVPOL would supervise the restoration of authority by Croatian police and the re-establishment of the local police in proportion to the demographic structure of the areas prior to the conflict" [*ibid., para. 16* (d)].

3. The process of the return of refugees and displaced persons to their homes must finally begin. The Vance plan clearly states that "in accordance with internationally established principles the United Nations policy is to facilitate the return to their homes of all persons displaced by the recent hostilities who so desire" [*S/23280, annex III, para. 20*]. The Croatian Government must stress with great disappointment that, contrary to the aforementioned principle, tens of thousands of refugees from the United Nations Protected Areas have not yet been able to return to their homes. On the contrary, the process of ethnic cleansing in the United Nations Protected Areas and "pink zones" has been completed in the presence of peace-keeping forces, with thousands more refugees expelled and hundreds of people killed. The Secretary-General, in his report of 28 September 1992, stated that "the frustration at this state of affairs expressed by the Government of Croatia and the refugees themselves is entirely understandable" [*S/24600, para. 35*].

Exactly one year later the situation remains very much the same, if not worse.

4. The international borders of Croatia that form the boundary of the UNPAs must be put under efficient international control, thus preventing Serbian insurgents from violating them by moving weapons, ammunition, military equipment and manpower. In spite of the hostile actions by Serbian insurgents and their refusal to let UNPROFOR take control of the borders, it is the strong opinion of the Croatian Government that resolution 769 (1992) must be fully implemented. UNPROFOR "should have powers to perform immigration and customs functions at the UNPA borders where these coincide with the international frontiers [in the Republic of Croatia]" [*S/24353, para. 28*].

Croatia considers the full protection of human rights and minority rights, in particular of the Serbian population in the UNPAs, to be of utmost importance for the overall political solution. Therefore, we firmly guarantee those rights as inscribed in the Constitution of the Republic of Croatia and the Constitutional Law on the Rights of Minorities and Ethnic Communities, as well as the Amnesty and Abolition Laws. I wish to emphasize that Croatia wants to implement these norms as soon as possible, and invites international monitors, such as those envisaged by the Conference on Security and Cooperation in Europe and the Council of Europe.

The Croatian Parliament and Government are fully aware of all the possible consequences and responsibilities which could result from the cancellation of the UNPROFOR mandate on the territory of Croatia. However, we are left with no options but to request the guarantees that, by the end of the year, the provisions in essential documents be fully implemented, including the provisions set forth in document S/23280 (annex III, paragraph 15) adopted by Security Council resolution 724 (1991), the provisions set forth in document S/24188, paragraph 17 adopted by Security Council resolution 762 (1992), S/23280 (annex III, paragraph 20) adopted by Security Council resolution 724 (1991), and S/24353, paragraph 28 adopted by Security Council resolution 769 (1992).

Considering the above, the Croatian Parliament and Government deeply regret that, if the aforesaid guarantees are not incorporated into the resolution concerning the extension of the UNPROFOR mandate, upon the expiration of the present interim extension, it shall consider the mandate, for the territory of Croatia terminated.

If the above guarantees are not included in the operative part of the resolution, Croatia hereby requests the withdrawal of all the UNPROFOR contingents by 30 November 1993.

However, if the above guarantees are incorporated in the operative part of the resolution renewing the mandate of UNPROFOR for the territory of Croatia, my Government will welcome the extension of the UNPROFOR mandate for the term suggested in paragraph 16 of the Secretary-General's report of 20 September 1993.

It has to be emphasized once again that Croatia does not oppose the UNPROFOR operation on its territory - it opposes UNPROFOR's inefficiency. Therefore, we have advocated, and continue to support the involvement of the North Atlantic Treaty Organization (NATO) in the implementation of the peace plan for Croatia.

In the light of the tragic humanitarian situation in neighbouring Bosnia and Herzegovina, Croatia is willing to allow a limited civilian affairs operation in Croatia's coastal regions for the purpose of facilitating the delivery of humanitarian aid to the Bosnian people. Furthermore, continued unrestricted access will be provided to all the humanitarian agencies operating in Croatia, as well as the use of Croatian ports and transportation routes for the possible peace mission of NATO in Bosnia and Herzegovina.

(*Signed*) Mate GRANIC
Vice-President and
Minister for Foreign Affairs

DOCUMENT S/26492

Letter dated 24 September 1993 from the representative of Angola to the President of the Security Council

[*Original: English*]
[*24 September 1993*]

I have the honour to transmit to you the "Peace Plan of the Republic of Angola" with the request that this document be circulated as a document of the Security Council.

(*Signed*) Afonso VAN-DUNEM "MBINDA"
Permanent Representative
of Angola
to the United Nations

ANNEX

Statement

[*Original: English and French*]

According to news being circulated by UNITA and some international press agencies, an Angolan government delegation, made up of officers of the Angolan Armed Forces, went to Sao Tome and Principe to meet the UNITA military delegation, headed by its Chief of Staff, General Arlindo **Chenda** Pena Ben-Ben.

Furthermore, other reports, which UNITA is spreading for propaganda purposes, indicate that a cease-fire went into effect on 20 September throughout the territory of Angola.

Quite the contrary, UNITA has stepped up and intensified its military operations on all fronts throughout the country, in a desperate effort to expand and consolidate its positions.

The Permanent Mission of the Republic of Angola wishes to deny these reports categorically and also to denounce these allegations before international public opinion, for their sole purpose is to prevent the entry into force of the sanctions adopted by the Security Council on 15 September 1993 in its resolution 864 (1993), which sanctions, as is well known, are scheduled to be applied as of 25 September 1993.

The Mission of Angola wishes furthermore to make public the "Peace plan of the Angolan Government", the English text of which reads as follows:

PEACE PLAN OF THE REPUBLIC OF ANGOLA

The desire for stability and peace in the Republic of Angola is an immediate necessity demanded by all Angolans.

This was the objective of the Bicesse Accords in which the Angolan people and the international community joined their efforts. These accords resulted in the holding of free and fair multi-party elections, and, consequently, the establishment of a new constitutional framework, recognized and accepted by all Member countries of the United Nations.

Taking into account the fact that UNITA's leader has consistently assumed a position that is not serious and has defied, not only the Angolan people, but also the demands of the international community as stated in the relevant United Nations resolutions on Angola, namely, resolutions 804 (1993), 811 (1993), 823 (1993), 834 (1993) and 851 (1993), the Angolan Government considers that the foundation for the resolution of the post-electoral crisis unleashed by UNITA should be based on the following principles:

1. UNITA military forces should be withdrawn from territories that were illegally occupied after the multi-party elections held on 29-30 September, 1992. This action should be followed by a cease-fire under the relevant resolutions of the Security Council.

2. The unimpeded access for humanitarian aid and immediate evacuation of the wounded, ill, and foreigners after the cease-fire, must take place.

3. Complete and unequivocal acceptance of the validity of the Bicesse Accords, and the results of the elections held in September 1992.

4. Respect for the legislation produced by the instruments of sovereignty instituted as a result of the elections.

5. The Angolan Government reiterates its willingness to resume negotiations once the conditions for these negotiations have been established.

Luanda, 22 September 1993

DOCUMENT S/26493

Letter dated 24 September 1993 from the representative of Azerbaijan to the President of the Security Council

[*Original: English*]
[*26 September 1993*]

I have the honour to transmit to you the text of a statement by the press office of the President of the Azerbaijani Republic issued on 23 September 1993.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Yashar T. ALIYEV
Chargé d'affaires a.i.
of the Permanent Mission
of Azerbaijan to the United Nations

TEXT OF THE STATEMENT

[*Original: Russian*]

In recent days there have been positive developments in the search for a peaceful settlement of the inter-State Armenian-Azerbaijani conflict. Despite the efforts undertaken to this end by the Azerbaijani leaders, however, the armed forces of the Republic of Armenia are continuing their aggression against Azerbaijan.

In the course of 14 and 15 September, settlements in Kazakh district and the district centre, the town of Kazakh, were shelled from the territory of Armenia. As a result, civilians were killed and wounded and many buildings were destroyed.

On 16 September, the Armenian side, having stepped up its offensive along the entire State frontier, attempted to breach positions of the Azerbaijani army in Tauz and Kedabek districts and in the Sadarak district of the Nakhichevan Autonomous Republic.

On 17 September, villages in Zangelan and Kubatli districts, as well as the district centre Sadarak, were shelled from the territory of Armenia.

On 21 September, villages in Tauz district and in the Ordubad district of the Nakhichevan Autonomous Republic came under fire from various types of weapons.

In conformity with the cease-fire agreement, the sub-units of the national army of Azerbaijan took no retaliatory action in any of the above-mentioned incidents.

Over the last few days, there has been a build-up of fighting equipment and troop units of the Republic of Armenia in the area adjacent to Kazakh district, affording further confirmation of the aggressive intensions of the Armenian side.

All the facts adduced above constitute flagrant violations of international law and demonstrate that the constant breaching of understandings, the wilful escalation of the conflict and the exacerbation of tension in the region are all interrelated elements of a deliberate policy pursued by the Erevan authorities, who have no interest in reaching a peaceful settlement to this protracted military conflict.

In the light of the foregoing, the leaders of the Azerbaijani Republic once again appeal to the international community, and above all to the States members of the Security Council, to ensure that Armenia takes a fully responsible approach to the problem of finding a peaceful settlement to the conflict and that it complies forthwith with Council resolutions 822 (1993) and 853 (1993).

DOCUMENT S/26501*

Note verbale dated 27 September 1993 from the representative of Bulgaria to the Secretary-General

[*Original: English*]
[*28 September 1993*]

The Permanent Representative of the Republic of Bulgaria to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to transmit herewith the text of a declaration adopted by the National Assembly of the Republic of Bulgaria on 24 September 1993 regarding the special economic problems of Bulgaria as a result of the implementation of the sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro).

The Permanent Representative of Bulgaria would appreciate it if the text were circulated as an official document of the General Assembly and of the Security Council.

TEXT OF THE STATEMENT

On 29 April 1993, the National Assembly of the Republic of Bulgaria adopted a declaration in support of the sanctions imposed by the Security Council in its resolution 820 (1993) of 17 April 1993 against the Federal Republic of Yugoslavia (Serbia and Montenegro).

In its recommendation of 2 July 1993 [*S/26040, annex I*], the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia commended Bulgaria for its strict compliance with the relevant Council resolutions.

The Helsinki Declaration adopted by the Parliamentary Assembly of the Conference on Security and Cooperation in Europe (CSCE) at its annual session (Helsinki, 5-9 July 1993), calls upon the CSCE and its participating States to contribute to the practical compensation, in appropriate forms, of the losses sustained by Bulgaria and other countries as a result of the strict implementation of the United Nations sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro).

Guided by its responsibility for upholding the high principles of the United Nations, Bulgaria implements strictly the Security Council resolutions with regard to the Federal Republic of Yugoslavia (Serbia and Montenegro) and will continue to do so in the future, despite the immense economic difficulties caused by the sanctions.

Along with this, the National Assembly noted that over the past three years, as a result of the sanctions of the international community against Iraq, Libya and the Federal Republic of Yugoslavia (Serbia and Montenegro), Bulgaria suffered and is still suffering enormous losses, which are to a large degree commensurate with the size of its foreign debt. These losses are aggravating the severe economic crisis the country is undergoing during the period of transition to a market economy. Unless ways are found to compensate for them, they will have a very serious negative effect on the economic development of Bulgaria for years to come.

Bearing in mind that the economic sanctions represent the last peaceful means of compelling the parties to observe the decisions of the international community, which will obviously be made use of in the future as well, the Bulgarian Parliament calls upon the General Assembly to speed up the elaboration of an effective mechanism for the implementation of Articles 49 and 50 of the Charter of the United Nations with a view to compensating for the losses of third countries incurred by the application of economic sanctions.

The Bulgarian National Assembly invites the international political and financial institutions to develop and implement measures for indirect compensation of the countries most severely affected by the sanctions. As regards Bulgaria, these measures could include:

(*a*) Providing facilitated and preferential access of Bulgarian goods and services to the markets of the industrialized countries;

(*b*) Financing long-term projects aimed at considerably improving the infrastructure;

(*c*) Encouraging Bulgaria's creditors to conclude agreements for the reduction and rescheduling of the country's foreign debt;

(*d*) Channelling international assistance and financial resources for the reconstruction of the economic structure of the former Yugoslav republics, which could be provided after the sanctions regime is lifted, through Bulgaria by making use of Bulgarian companies for the supply of goods and services;

(*e*) Adopting concrete measures on the part of the Governments of the industrialized countries aimed at promoting foreign investment in Bulgaria, as well as facilitating Bulgaria's access to sources of credit.

Highly appreciating the recommendation with regard to Bulgaria, made by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia, the National Assembly of the Republic of Bulgaria calls upon the General Assembly to draw the attention of the Member States, international organizations and financial institutions to the need for urgent and effective assistance to overcome the serious losses which Bulgaria suffers.

This Declaration was adopted by the XXXVI National Assembly of the Republic of Bulgaria on 24 September 1993.

DOCUMENT S/26502**

Letter dated 29 September 1993 from the representative of Indonesia to the Secretary-General

[*Original: English*]
[*29 September 1993*]

I have the honour, as Chairman of the Coordinating Bureau of the Non-Aligned Movement, to enclose herewith the statement adopted by the Committee on Palestine of the Non-Aligned Movement at its Ministerial Meeting on 28 September 1993 in New York.

I should be grateful if you would have the present letter circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Nugroho WISNUMURTI
Permanent Representative
of Indonesia
to the United Nations

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* Circulated under the double symbol A/48/445-S/26501.

** Circulated under the double symbol A/48/455-S/26502.

TEXT OF THE STATEMENT

The Chairman of the Non-Aligned Movement, President Soeharto, called for the convening of the meeting of the Ministers and Heads of Delegations of the members of the Committee on Palestine of the Non-Aligned Movement in New York on 28 September 1993 to consider the important and momentous developments, which recently took place, relating to the question of Palestine.

The Committee met under the chairmanship of Mr. Ali Alatas, the Foreign Minister of Indonesia, and was attended by Mr. Farouk Kaddoumi, Foreign Minister of Palestine; Mr. Mohamed Salah Dembre, Foreign Minister of Algeria; Mr. A. S. M. Mustafizur Rahman, Foreign Minister of Bangladesh; Mr. Roberto Robaina Gonzalez, Foreign Minister of Cuba; Mr. Dinish Singh, Minister of State for External Affairs of India; Mr. Nathan M. Shamuyarira, Foreign Minister of Zimbabwe; Mr. Keba Birane Cisse, Permanent Representative of Senegal to the United Nations in New York; Mr. M. Nasser Al-Kidwa, Permanent Observer for Palestine to the United Nations in New York; and Mr. Albert M. Muchanga, Deputy Permanent Representative of Zambia to the United Nations in New York.

The Committee was briefed on the recent developments, in particular the signing on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements between the Palestine Liberation Organization and the Government of Israel leading to a permanent settlement based on Security Council resolutions 242 (1967) and 338 (1973).

The Committee welcomed that important step and expressed the hope that the declaration will be fully implemented. They expressed their support for the Palestine Liberation Organization, the representative of the Palestinian people, in its efforts to build a Palestinian national authority on Palestinian soil, including Jerusalem, towards the establishment of an independent Palestinian state. The Committee emphasized the need for the early commencement of the permanent status negotiations on the basis of international legitimacy, which shall cover the remaining issues, including Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbours, and other issues of common interest. The Committee also hailed the sacrifices made by the Palestinian people in their long struggle to achieve their inalienable rights, and reaffirmed the position of principle of the Non-Aligned Movement in support of the implementation of those inalienable rights.

The Committee stressed the need to expeditiously take further steps with regard to the Arab-Israeli conflict, which are essential for the achievement of a comprehensive, just and lasting peace in the Middle East, which include the withdrawal of Israel from all the occupied Palestinian and other Arab territories including the Syrian Golan Heights, Southern Lebanon and Jerusalem.

The Committee further reaffirmed the permanent responsibility of the United Nations towards the question of Palestine until it is solved in all its aspects, and stressed the need for an effective and broad role for the United Nations in the peace process and in providing all kinds of assistance to the Palestinian people. The Committee welcomed the steps taken by the Secretary-General of the United Nations in this regard.

The Committee decided to continue to monitor closely the developments concerning the implementation of the Declaration of Principles in accordance with its mandate.

DOCUMENT S/26506*

Letter dated 24 September 1993
from the representative of Cyprus to the Secretary-General

[*Original: English*]
[*30 September 1993*]

I have the honour to refer to our communications of 15 October 1992 [*S/24667*], of 6 January [*S/25063*] and 10 August 1993 [*S/26288*] concerning the demographic structure of the Cypriot Communities and the systematic and relentless implantation of settlers from mainland Turkey in the occupied areas of Cyprus, and the statement circulated by the Government of Turkey [*S/26369*] in an effort to divert public opinion from their flagrant violations. The evidence of this policy is contained in the above documents and I am sure that the international community needs no further proof of this persistent disregard and defiance of international legality.

At this stage, my delegation would confine itself only to making available extracts from the Turkish Cypriot press on this issue to reveal the extent of the colonization of Cyprus and the legitimate concern expressed by the Turkish Cypriots themselves, who are also victims of such a distortion of the demographic structure of the occupied part of Cyprus.

1. Kibris - *6 August 1993*

"The occupying regime has lifted the use of 'entry cards' for those who travel from Turkey to the occupied area and, therefore, the regime cannot know the purpose of travellers in the occupied area." The paper recalls that the use of passports was lifted in the past and now the regime lifted the "entry cards" as well in order to "ease travelling" to the occupied area.

In a speech he made in the occupied village of Peristeronari, "the CLP leader Mustafa Akinci said that a robbery takes place every five hours in the occupied area". He added that "this was a result of the abolition of passport control. Many people arrive in the occupied area for a few days for robberies or thefts."

The paper says that, "according to the 'Immigration Department' of the occupying regime, only the numbers of those entering are kept, but no details regarding the travellers. During the first six months of the year, 185,926 people arrived in the occupied area, of whom 66.1 per cent were citizens of Turkey, 19.28 per cent 'citizens' of the occupying regime, 6.27 per cent British and the rest 8.35 per cent from various countries. During the same period, 188,900 persons left the occupied area. The majority of them, 124,436 were citizens of Turkey, 37,646 were 'citizens' of the pseudostate, 11,097 were British and 15,721 from other countries. Nobody knows the purpose of the visit of anyone of these people" concludes *Kibris*.

2. Yeniduzen - *12 August 1993*

Ozker Ozgur on changing the demographic structure of the occupied area:

> "Two German professors, Mr. Hanshorg Brey and Mr. Gunther Heinritz, conducted research about the demographic structure of north Cyprus. They collected their findings under the title 'Population movement in Cyprus in the light of statistical distortions'."

Kutlu Adali, in his corner in *Yeniduzen*, published excerpts from this article translated by Mr. Ahmet An.

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* Circulated under the double symbol A/48/458-S/26506.

"The German scientists calculated that the population increase in north Cyprus between 1974 and 1990 was 39.6 to 48.4 per cent. This unnatural population increase has been justified by former 'TRNC Foreign Minister' Vedat Celik by saying that it was due to the repatriation of the Turkish Cypriots living in Britain and other countries.

"However, according to statistical figures provided by the Police General Directorate, published in *Yenıduzen* (15 February 1989), 18,862 people left Cyprus between 1974 and 1977. And the number of Turkish Cypriots who emigrated between 1974 and 1989 is 28,184. So the question is not, as Vedat Celik said, the return of Turkish Cypriots, but their escape from the island.

"Those who rule north Cyprus say that they do not know the number of Turkish Cypriots that left abroad.

"According to the 1990 statistics, the population in north Cyprus is given as 171,469. Then this figure was corrected an dropped to 161,386. This is the reason how the population growth between 1974 and 1990 is calculated as 39.6 to 48.4 per cent. Between 1960 and 1990, the population growth of the Turkish Cypriots, if compared to that of the Greek Cypriots, should be, in 1975, 100,600 and, in 1990, 106,000. If one considers the high birth rate given by official statistics then this figure should be 100,900.

"According to these calculations in 1990, there were 65,500 to 70,600 foreigners in north Cyprus. Since 1990, three years have passed. How many Turkish Cypriots left the island during this time?

"What is the number that arrived during this time?

"How many of them received citizenship?

"How many of them will receive citizenship?

"Migration is a continuing process. People migrate from their country to another one for their living. One should not criticize these people who, in search for a living, leave their country. However, the dimensions of the action is different if population movement is being done with political considerations aimed at changing the demographic structure and the identity of a community.

"According to the German scientists, the demographic policy as regards the north Cyprus aims at the following: increasing the bargaining power at the intercommunal talks; weakening the friendship ties existing between the two communities; and weakening the Turkish Cypriot community's contemporary values and strengthen the conservatives.

"We are not in a position to know how sound or right the conclusions drawn by the German scientists are. However, the concrete fact is that the Turkish Cypriot community with its population and identity has been put into the annihilation process.

"The Turks who arrived in 1975 are complaining as well about the state of affairs prevailing. The process forces their children as well to emigrate. In north Cyprus, which has turned into a place free for all, a chaotic situation exists.

"How and on whom will you apply, even if you enact the most democratic election law, in this chaotic situation.

"It is as important to democratize the communal structure and control of the population as democratizing the election law.

"It is not possible to talk about a democratic election before correcting the weak structure, which is open to foreign intervention and there is no control of arrivals and departures.

"This is a must. Due attention should be paid by those who favour a democratic election."

Kutlu Adali, writing in *Yenıduzen* (12 September 1993) about the settlers and their role in "elections", says that:

> "The greatest and most effective intervention during the elections come from the tens of thousands of people brought from Turkey and settled in north Cyprus with the right to elect and to be elected. Against this incredible reality, people still sit down and conduct early election negotiations! In every election held here, the population transferred from Turkey, with an order from Ankara, always sided with the Denktaş-NUP wing. Even if they resented the Denktaş-NUP administration, those tens of thousands of people were forced to cast their votes in favour of the Denktaş-NUP wing.
>
> "If again during the coming months or years, whether normal or early elections are held, this very effective and oppressive intervention will demonstrate its power again. It will give a deadly blow to democratic developments of the Cypriots. Especially, it will be tantamount to heading for an election without knowing what will be the pros and the cons of an early election in a country where the exact number of the mainland settlers is unknown.
>
> "Ankara, soldiers and Denktaş since 1974 are knowingly staging this play. Their aim and intention is, with a so-called democracy shroud, to keep Denktaş and the people around him in the administration: they give 5 to 10 seats to the opposition - this to save the day.
>
> "This play has been staged knowingly from the very beginning. Since Turkey never intends to take back these settlers, they will not only have an effective intervention in the elections, but in deciding the future of Cyprus as well. They will direct our so-called democracy. No one has considered such a guarantorship from the guarantor Turkey."

3. Ortam - *16 August 1993*

According to *Ortam*, "Denktaş's illegal regime continues to provide identity cards to mainland Turks. Between 10 and 12 August 1993, 500 'identity papers' were issued to mainland Turks."

Ortam stresses that, "according to reliable sources, 250 identity cards are issued each day, and that, as the so-called early elections are getting nearer, the illegal regime is speeding up the issue of the 'identity cards'." The paper says that, "on 27 July 1993, the identity cards serial number was 189,500, on 10 August this reached 189,900 and, on 12 August 1993, it was 190,200".

I would be grateful if the text of the present letter could be circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Alecos SHAMBOS
Permanent Representative
of Cyprus
to the United Nations

DOCUMENT S/26514*

Letter dated 29 September 1993 from the representative of Egypt to the Secretary-General

[*Original English*]
[*30 September 1993*]

In my capacity as representative of the current Chairman of the Organization of African Unity (OAU), I have the honour to transmit herewith the statement on developments in South Africa, adopted by the Ad Hoc Committee on Southern Africa of the Organization of African Unity (OAU) at its extraordinary session of the Ministers for Foreign Affairs, held on 29 September 1993 in New York, and request you to have it circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Nabil A. ELARABY
Permanent Representative of Egypt
to the United Nations

TEXT OF THE STATEMENT

An extraordinary ministerial meeting of the Ad Hoc Committee of the Organization of African Unity (OAU) on Southern Africa took place in New York today, 29 September 1993, to review the situation in South Africa in the light of the latest developments in the peace process. The Ministers considered the report prersented by the Seceretary-General of the OAU on the current developments in South Africa. The Ministers were also fully briefed by the President of the African National Congress (ANC) and the Secretary-General of the Pan-Africanist Congress of Azania (PAC) on the astate of play in the negotiations process.

The Committee was informed that four pieces of legislation, namely, the independent electoral commission, the independent media commission and the independent broadcasting authority and the Transitional Executive Council (TEC) have been adopted by both the Negotiating Council and the South African Parliament and are in the process of being enacted into law.

Bearing these encouraging developmenst in mind, and taking account of the fact that the broad spectrum of the people in South Africa believe enough progress has been made in their process of transition to democracy to necessitate the lifting of economic sanctions imposed on South Africa over the years, the OAU cannot but recognize this reality and act in consonance with the wishes of the people of South Africa, even as it recognizes the fact that there exists a difference between the two libveration moveements, the ANC and the PAC, on the timing of the lifting of these sanctions.

In response to the appeal made for the lifting of all sanctions, the Ad Hoc Committee on Southern Africa, on behalf of the OAU, calls upon all the African States, the international community at large and the United Nations in particular, to respond positively to this appeal.

More specifically, the Ad Hoc Committee supports the call for the lifting of all economic sanctions with the exception of those relating to the arms embbargo and nuclear matters. With respect to the oil embargo, the Committee urges that this should be lifted after the establishment and commencement of the work of the TEC. The Committee also supports the establisnment or restoration of full diplomatic relations with South Africa following the installation of an elected Interim Government of National Unity, pursuant to the elections to be held on 27 April 1994.

At the same time, the OAU appeals to its member States and the international community at large to help the people of South Africa in the economic reconstruction of their country and in ensuring that the new South Africa whose birth, that hopefully we will soon witness, begins its existence on a firm economic foundation.

Finally, while encouraging the development of constructive relations with South Africa with a view to providing form support towards democratic change, the Ad Hoc Committee also calls upon all OAU member States and the world at large to continue exercising vigilance with respect to developments in South Africa. Such vigilance is of the essence in order to ensure that the common objective of the people of South Africa and the peoples of the world for a democratic, non-racial and united South Africa is achieved without deviation or obstruction.

DOCUMENT S/26515

Letter dated 27 September 1993 from the representative of Angola to the President of the Security Council

[*Original English*]
[*30 September 1993*]

I have the honour to inform you that with the enforcement of mandatory sanctions, according to paragraphs 17 to 25 of resolution 864 (1993), of 15 September 1993, at 0000 hours of 25 September 1993, all goods whose final destination is the Republic of Angola in the first stage should enter the port of Luanda.

The Government of the Republic of Angola reserves the right to indicate other ports of entry at a later stage.

I hereby request that this letter be circulated as a document of the Security Council.

(*Signed*) Afonso VAN-DUNEM "MBINDA"
Permanent Representative
of Angola
to the United Nations

DOCUMENT S/26516

Letter dated 29 September 1993 from the representative of Angola to the Secretary-General

[*Original English*]
[*30 September 1993*]

I have the honour to transmit to you the following message from Mr. Eduardo dos Santos, President of the Republic of Angola, with the request that this document be circulated as a document of the Security Council.

(*Signed*) Afonso VAN-DUNEM "MBINDA"
Permanent Representative
of Angola
to the United Nations

LETTER DATED 25 SEPTEMBER 1993 FROM THE PRESIDENT OF THE REPUBLIC OF ANGOLA ADDRESSED TO THE SECRETARY-GENERAL

It is a pleasure to address you regarding issues pertaining to the present situation in Angola and to provide the positions of the Angolan Government with respect to the so-called peace proposal of the National Union for the Total Independence of Angola (UNITA).

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* Circulated under the double symbol A/48/461-S/26514.

Therefore, I am enclosing with this letter our peace platform. In it you will note our firm intention to attempt to find a peaceful solution for the conflict under a framework of principles that will allow us to attain a solid and definitive peace in Angola.

We appreciate the positions that the Security Council has taken in relation to the Angolan conflict. We encourage it to continue this line of action with the necessary firmness, so that Mr. Jonas Savimbi will be convinced once and for all that his only option is to renounce war permanently and accept the universal principles of democracy, principles that rule the Republic of Angola.

I want to emphasize that the so-called peace proposal presented by UNITA could not constitute the basis of resumed peace negotiations. The proposal attempts to be, in appearance, a desire to terminate the war, with its reference to an *in situ* cease-fire. In reality, it represents a subtle denial of all the principles that should establish the basis for lasting solutions to the conflict, namely those that are included in the Bicesse Accords and the Security Council resolutions on Angola.

We would have liked to have been able to identify signs in UNITA's document that would reveal an attempt at a serious and well-intentioned proposal. Unfortunately, we see that UNITA is planning a dangerous manoeuvre by which it attempts to bypass its obligation to comply with the aforementioned criteria.

It cannot be stressed enough that all the political activity undertaken by UNITA on the eve of the Security Council meeting of 15 September 1993 was not done with a peaceful and immediate solution to the conflict in mind. UNITA only took this action to avoid having sanctions imposed. UNITA knew that if sanctions were imposed, it would be forced to negotiate under the framework defined in the Bicesse Accords and the resolutions of the Security Council.

As you may understand, the Angolan Government, the troika of international observers to the peace process and even the international community are once again facing another round of manoeuvres previously attempted by UNITA in similar circumstances, when they were subjected to strong international pressure.

This fact persuades us to proceed most carefully so that UNITA will not again take advantage of the benefit of the doubt that was being conceded to it. This allowed UNITA to maintain the inflexible and arrogant position it has taken since the meeting in Namibe, and carried to Addis Ababa and Abidjan.

I believe that you will recall that in the meetings for a search for a peaceful solution to the Angolan conflict, held in the above-mentioned locations, UNITA violated previous agreements. UNITA assumed positions that successively annulled previously reached obligations. At the same time that UNITA was taking advantage of the expectations for peace it created through the contacts that it maintained, it increased its illegal occupation of Angolan territory, as occurred in cities such as Uige, Negage, Soyo and Huambo.

I should point out that UNITA is repeating these same actions in the city of Cuito. With its *in situ* cease-fire proposed in Cuito, UNITA is able to move its soldiers into more advantageous positions, closing in on the defensive lines of the government forces defending the city.

We ask ourselves how long UNITA, with its strategy to divide the country, can maintain the farce of a cease-fire when the occupation of Kuito constitutes a fundamental component of its plans. In addition, it is worth noting that, within this strategy, UNITA is building a constituency convinced of the necessity of having United Nations forces monitor the *in situ* cease-fire. These forces would, in practice, then act as buffer forces and the "de facto" division of the country would be accomplished.

It is important to mention that UNITA only suspended its attacks on Cuito due to the fact that this city is now at the centre of attention of national and international public opinion.

Nevertheless, UNITA continues its offensives against other points in the country. In particular, the attacks that stand out are against Quilengues, Cuvelai, Que, Lobito, Ganda and Chongoroi, as well as ambushes against civilians and military and civilian vehicles across the country.

Within this context, we would like to be able to continue to count on your assistance in reinforcing the measures of the international community, in order to compel UNITA to exercise serious and constructive dialogue which would benefit the re-establishment of peace in Angola.

I ask you to please circulate this letter among all members of the Security Council.

José Eduardo DOS SANTOS
President of the Republic of Angola

Peace Plan of the Republic of Angola

[*Same text as that appearing in document S/26492.*]

DOCUMENT S/26517

Letter dated 30 September 1993 from the representatives of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the Secretary-General

[*Original: English*]
[*30 September 1993*]

We have the honour to enclose the text of the statement issued following the meeting which you held on 30 September 1993 with our Ministers of Foreign Affairs. We should be grateful if you would arrange for it to be circulated as a document of the Security Council.

(*Signed*) LI Zhaoxing
Permanent Representative of China to the United Nations

(*Signed*) Jean-Bernard MERIMEE
Permanent Representative of France to the United Nations

(*Signed*) Yuli M. VORONTSOV
Permanent Representative of the Russian Federation to the United Nations

(*Signed*) David HANNAY
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

(*Signed*) Madeleine K. ALBRIGHT
Permanent Representative of the United States of America to the United Nations

STATEMENT ISSUED ON 30 SEPTEMBER 1993 BY THE MINISTERS FOR FOREIGN AFFAIRS OF THE FIVE PERMANENT MEMBERS OF THE SECURITY COUNCIL FOLLOWING A MEETING WITH THE SECRETARY-GENERAL

On 30 September 1993, the Ministers for Foreign Affairs of the five permanent members of the Security Council met with the Secretary-General of the United Nations, Mr. Boutros

Boutros-Ghali. Taking part were the Vice Premier and Minister of Foreign Affairs of the People's Republic of China, Mr. Qian Qichen; the Minister of Foreign Affairs of France, Mr. Alain Juppé; the Minister of Foreign Affairs of the Russian Federation, Mr. Andrei Kozyrev; the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, Mr. Douglas Hurd; and the Secretary of State of the United States of America, Mr. Warren Christopher.

The Ministers congratulated the Secretary-General on his continued outstanding service to the United Nations and to the principles embodied in its Charter. They pledged strong support for efforts to improve the efficiency of the United Nations and to revitalize the Organization's peace-keeping capabilities.

The Ministers noted the fivefold increase in United Nations peace operations over the past five years: the numerous requests for additional missions due to the proliferation of local conflicts, the heightening in the level of danger and complexity of such missions, the efforts under way to improve the Organization's peace-keeping capabilities, the need for the United Nations to cooperate closely with regional organizations, and the value of preventive diplomacy within the framework of the Charter of the United Nations.

Bearing these concerns in mind, the Ministers agreed, in the spirit of the Secretary-General's "Agenda for Peace", to cooperate in strengthening the capabilities of the United Nations to carry out the full spectrum of peace-keeping operations under the authority of the Security Council. They took note of the work being done on peace-keeping reform and stressed the importance of improving budget procedures, modernizing command, control and communications; professionalizing and institutionalizing planning and civilian training functions and enhancing public affairs capabilities and establishing a high degree of coordination among States willing to contribute troops and other forms of material assistance to United Nations peace operations. In this context, the Ministers welcome the contacts in train between the Secretariat and member States concerning the notification by member States of specific forces or capabilities which with the approval of national authorities they could make available to the United Nations on a case-by-case basis.

Given the gap between current demands on the United Nations and its capabilities pending the reforms mentioned above, the Ministers affirmed that new commitments should be weighed very carefully, and made only after fundamental questions of mandate, objectives, adequacy of force, availability of resources, risk to personnel and length of mandate have been examined and satisfactorily resolved.

The Ministers expressed the belief that experience gained in United Nations peace-keeping operations in recent years, such as in Namibia, El Salvador and Cambodia, provides a basis for confidence that continued efforts to strengthen capabilities will yield good results. They stressed the importance of applying the lessons learned in past and current operations, and observed that in this new era, establishing a durable peace often requires sustained effort both by the international community and by the people of the State or States involved.

The Ministers reviewed with the Secretary-General a number of the peace-keeping missions that are currently proposed or under way.

In that regard, the Ministers paid tribute to the accomplishments of the United Nations in Cambodia and noted with satisfaction that the United Nations Transitional Authority in Cambodia (UNTAC) successfully fulfilled its mandate. Cambodia's return to constitutional government is a major achievement for the United Nations and the Cambodian people. The Ministers agreed to consider, on the advice of the Secretary-General and at the request of the Cambodian Government, how a continued United Nations presence, which might include a modest number of military observers, would contribute further to peace and stability after the departure of UNTAC.

The Ministers stressed the importance they attach to the role the United Nations is playing in helping to resolve conflicts in Africa. In this context they noted the progress that has been made in Somalia in ending famine, restoring secure conditions throughout most of the country and establishing a framework for national reconciliation. They agreed on the importance of further steps to enhance security and to achieve a political settlement. They also reviewed the situation in Angola, Mozambique, Rwanda and Liberia and the contributions the United Nations can make to resolve these conflicts.

The Ministers expressed their support for the measures taken by the Secretary-General and the Security Council to assist in bringing to an end the conflicts on the territory of the former USSR, in particular in Abkhazia (Republic of Georgia), in border areas of Tajikistan and in support of the Conference on Security and Cooperation in Europe in the Nagorny Karabakh region of the Azerbaijani Republic. They welcomed the peace-keeping efforts of the Russian Federation and other independent States of the former Soviet Union to establish and monitor cease-fires and facilitate negotiated solutions, with the agreement of the countries concerned.

The Ministers discussed the situation in the former Yugoslavia. They called upon all parties to reach urgently a negotiated solution to the conflict in Bosnia which will permit the implementation of the peace-keeping operation envisaged in the Stoltenberg-Owen plan under the aegis of the United Nations. They stated their determination to act under the relevant Security Council resolutions to enable the United Nations Protection Force to carry out its peace-keeping and humanitarian aid mandates successfully, and to implement resolutions 808 (1993) and 827 (1993) by establishing and supporting an international tribunal to investigate and prosecute those responsible for the gross violations of international humanitarian law that have occurred within former Yugoslavia since 1991.

The Ministers noted that the role of the United Nations continues to grow in importance, creating new opportunities while also placing severe stress on the financial and other resources of the Organization. They stressed the common stake that all States and peoples have in assisting the United Nations to meet its potential as a forward-looking force for peace, development and the other objectives of the Charter.

The Ministers stressed the need for all Member States to pay their contributions in full and on time. The Ministers expressed the view that global problems cannot be dealt with successfully unless international institutions, including the United Nations, are strengthened, which will not happen in the absence of broad public support. They agreed that the United Nations and its agencies and programmes must be effective, disciplined and accountable. In that regard, they emphasized the importance of strengthened oversight of United Nations operations and welcomed recent steps in that direction.

The Ministers stressed the need for close cooperation and coordination between the United Nations peace-keeping and humanitarian assistance operations. They condemned the obstruction of deliveries of humanitarian assistance and attacks on relief workers that have occurred in some States. They called upon all States and all parties in an armed conflict to abide by their obligations under international humanitarian law to allow effective and unhindered delivery of humanitarian assistance.

The Ministers viewed with great satisfaction the breakthrough agreement that has been reached between the State of Israel and the Palestine Liberation Organization. They note that the agreement is consistent with Security Council resolutions 242 (1967) and 338 (1973) and that it takes into account the right to security for all parties in the region, including Israel, and takes account of the legitimate political rights of the Palestinian people. The Ministers expressed the hope that this first agreement will facilitate additional agreements which, taken together, will constitute a comprehensive, just and lasting peace. The Ministers urged the international community to mobilize resources in order to see that the agreement produces tangible improvements in the security and daily lives of Palestinians and Israelis. They stressed the need to start improving immediately the economic situation in Gaza and the West Bank.

The Ministers discussed developments in Iraq. They welcomed the recent contacts between the Special Commission and Iraq but reaffirmed that Iraq must fully comply with all applicable Security Council resolutions.

The Ministers expressed strong and continued support for the movement towards democracy and an end to all forms of apartheid in South Africa. They welcomed efforts by leaders of all sides to avoid additional violence and discord, while noting with appreciation the constructive role being played in South Africa by United Nations and other international peace observers. They urged all South African parties to redouble their efforts to reach consensus on the transitional arrangements and constitutional issues still outstanding and to proceed to elections in the coming year.

The Ministers thanked the Secretary-General for his invitation to meet, pledged their continued commitment to a stronger and more effective United Nations and agreed to remain in close consultation about issues of widespread international concern.

NOTES

[1] A/48/322, annex II, AHG/Decl.3 (XXIX).

[2] A/45/482, annex II, AHG/Decl.1 (XXVI).

[3] A/C.5/47/13/Add.1.

[4] A/48/185, annex II, appendix.

[5] A/CONF.157/24 (Part I), chap. IV, sect. C.

[6] Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (United Nations, *Treaty Series*, vol. 75, no. 973).

[7] To be issued in United Nations, *Treaty Series*, vol. 1641, as no. 28208.

[8] League of Nations, *Treaty Series*, vol. II, no. 67.

[9] A/CONF.157/24 (Part I), chap. IV, sect. B.

[10] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

[11] United Nations, *Treaty Series*, vol. 485, No. 7063.

[12] *Bulletin of the European Communities, Supplement 5/93* (Luxembourg, Official Publications Office of the European Communities, 1993).

[13] Convention Relating to Navigation on the Danube, signed at Belgrade on 18 August 1948 (United Nations, *Treaty Series*, vol. 33, No. 518.)

[14] United Nations, *Treaty Series*, vol. 382, no. 5476.

[15] Ibid., no. 5475.

[16] A/48/322, annex I, CM/Res.1446 (LVIII).

[17] A/48/173.

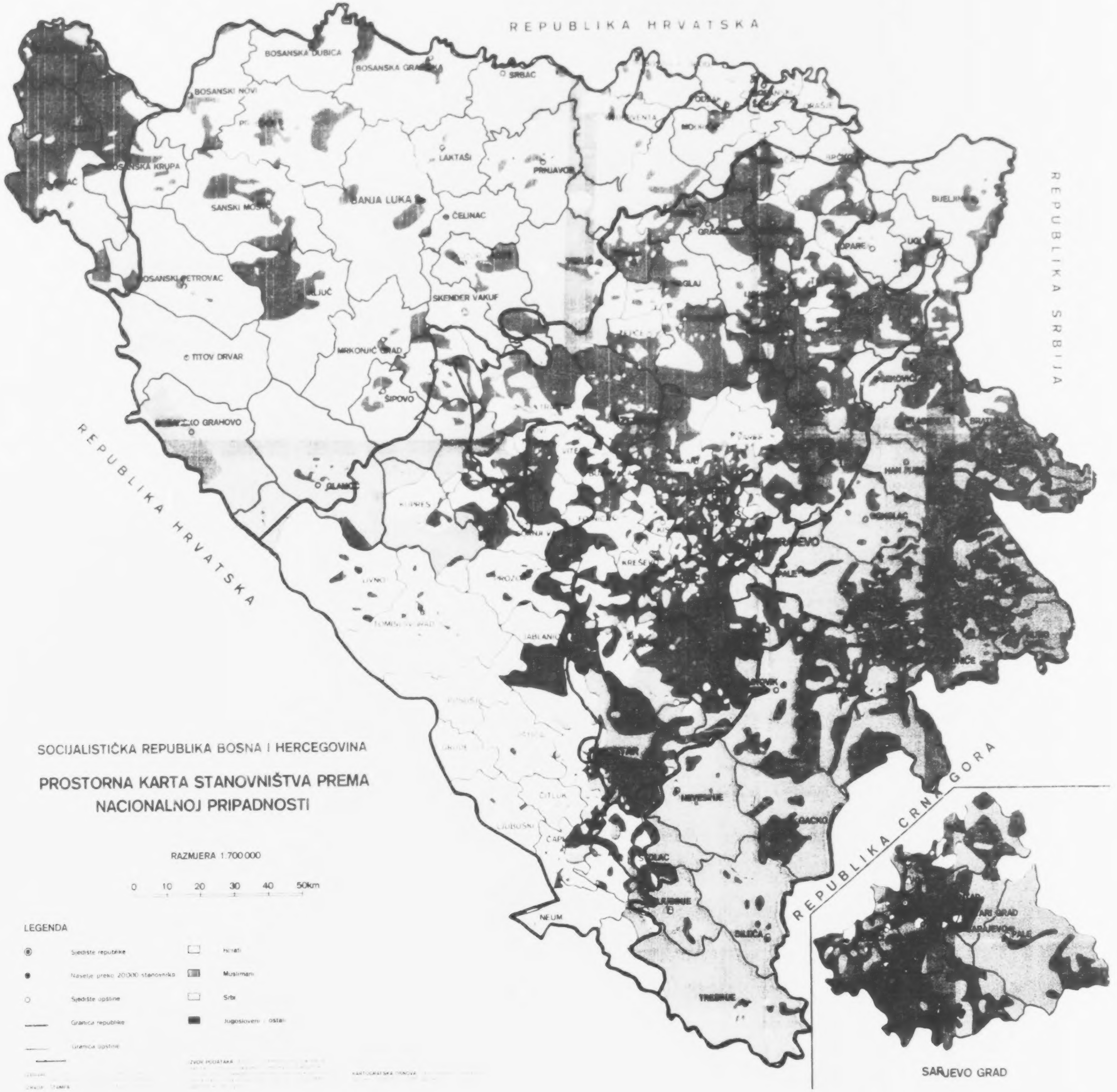
[18] A/45/594.

[19] A/48/146/Add.1.

[20] *Application of the Convention on the Prevention and Punishment of the Crime of Genocide, Provisional Measures, Order of 13 September 1993, I.C.J. Reports 1993*, P.325.

[21] *Idem, Order of 8 April 1993, I.C.J. Reports 1993*, P.3.

[22] United Nations, *Treaty Series*, vol. 729, No. 10485.



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SRBAC
BOSANSKI NOVI
BOSANSKA KRUPA
LAKTAŠI
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Granica opštine
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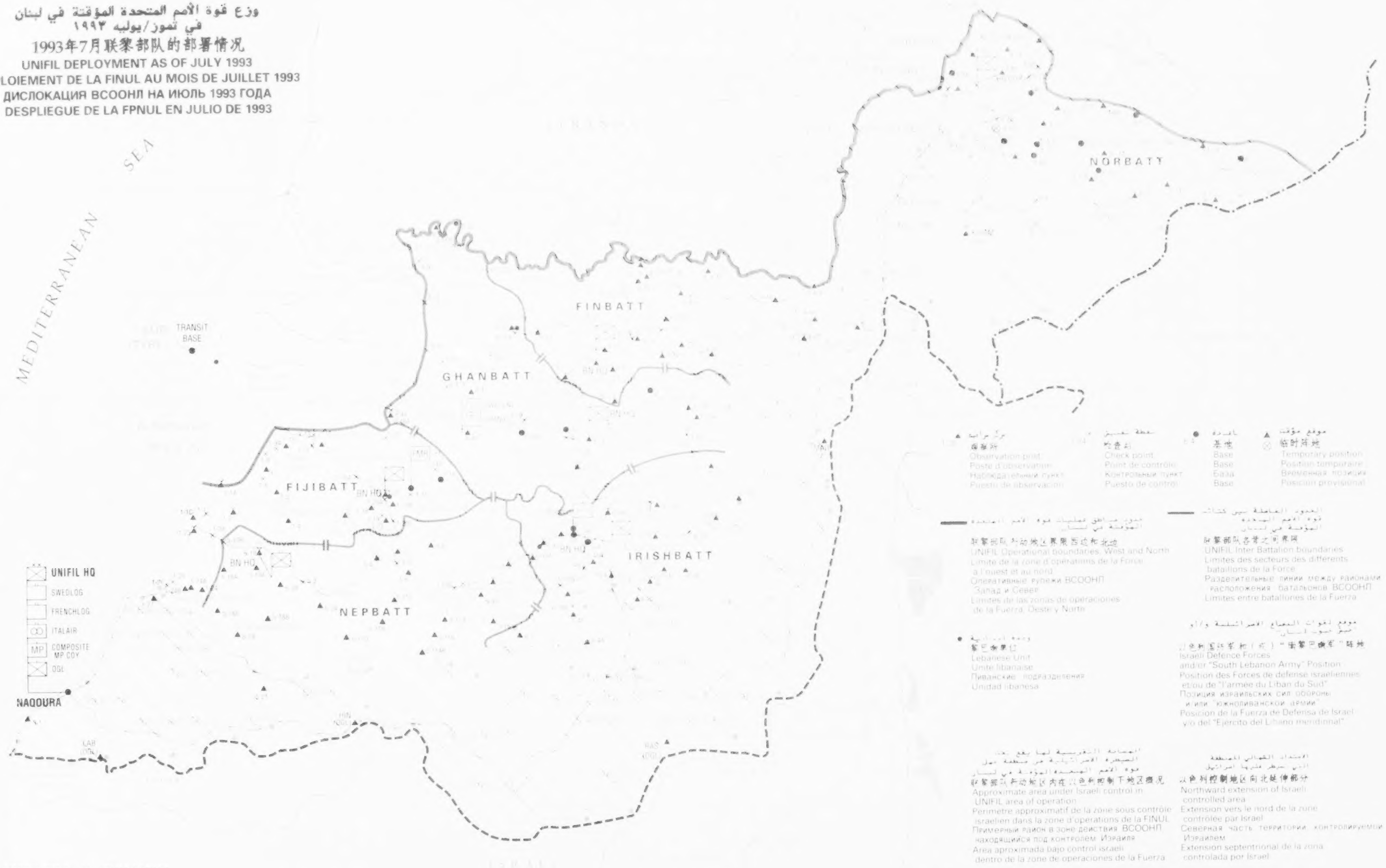
▨ Muslimani
☐ Srbi
■ Jugosloveni i ostali
IZVOR PODATAKA
KARTOGRAFSKA OSNOVA
IZRADA I ŠTAMPA
STARI GRAD
SARAJEVO
SARJEVO GRAD

وزع قوة الأمم المتحدة المؤقتة في لبنان في تموز/يوليه ١٩٩٣
1993年7月联黎部队的部署情况
UNIFIL DEPLOYMENT AS OF JULY 1993
DÉPLOIEMENT DE LA FINUL AU MOIS DE JUILLET 1993
ДИСЛОКАЦИЯ ВСООНЛ НА ИЮЛЬ 1993 ГОДА
DESPLIEGUE DE LA FPNUL EN JULIO DE 1993


MEDITERRANEAN SEA
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FINBATT
GHANBATT
FIJIBATT
NEPBATT
IRISHBATT
TRANSIT BASE
BN HQ
NAQOURA
UNIFIL HQ
SWEDLOG
FRENCHLOG
ITALAIR
MP COMPOSITE MP COY
OGL
ISRAEL
▲ 观察所
Observation point
Poste d'observation
Наблюдательный пункт
Puesto de observación
检查站
Check point
Point de contrôle
Контрольный пункт
Puesto de control
● 基地
Base
Base
База
Base
⊗ 临时阵地
Temporary position
Position temporaire
Временная позиция
Posición provisional
联黎部队行动地区界限西边和北边
UNIFIL Operational boundaries, West and North
Limite de la zone d'opérations de la Force à l'ouest et au nord
Оперативные рубежи ВСООНЛ Запад и Север
Limites de las zonas de operaciones de la Fuerza, Oeste y Norte
联黎部队各营之间界限
UNIFIL Inter Battalion boundaries
Limites des secteurs des différents bataillons de la Force
Разделительные линии между районами расположения батальонов ВСООНЛ
Límites entre batallones de la Fuerza
● 黎巴嫩单位
Lebanese Unit
Unité libanaise
Ливанские подразделения
Unidad libanesa
以色列国防军和（或）"南黎巴嫩军"阵地
Israeli Defence Forces and/or "South Lebanon Army" Position
Position des Forces de défense israéliennes et/ou de "l'armée du Liban du Sud"
Позиция израильских сил обороны и/или "южноливанской армии"
Posición de la Fuerza de Defensa de Israel y/o del "Ejército del Líbano meridional"
联黎部队行动地区内在以色列控制下地区概况
Approximate area under Israeli control in UNIFIL area of operation
Périmètre approximatif de la zone sous contrôle israélien dans la zone d'opérations de la FINUL
Примерный район в зоне действия ВСООНЛ находящийся под контролем Израиля
Área aproximada bajo control israelí dentro de la zone de operaciones de la Fuerza
以色列控制地区向北延伸部分
Northward extension of Israeli controlled area
Extension vers le nord de la zone contrôlée par Israel
Северная часть территории, контролируемой Израилем
Extensión septentrional de la zona controlada por Israel

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JULY 1993

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